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TITLE:

PHARISEES AND THEIR TEACHINGS

PLACE:

NEW YORK

DATE:

1930

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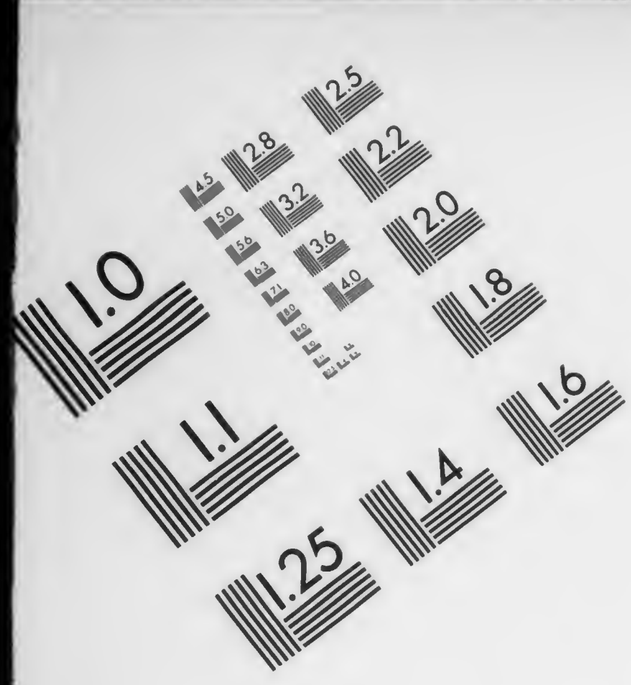
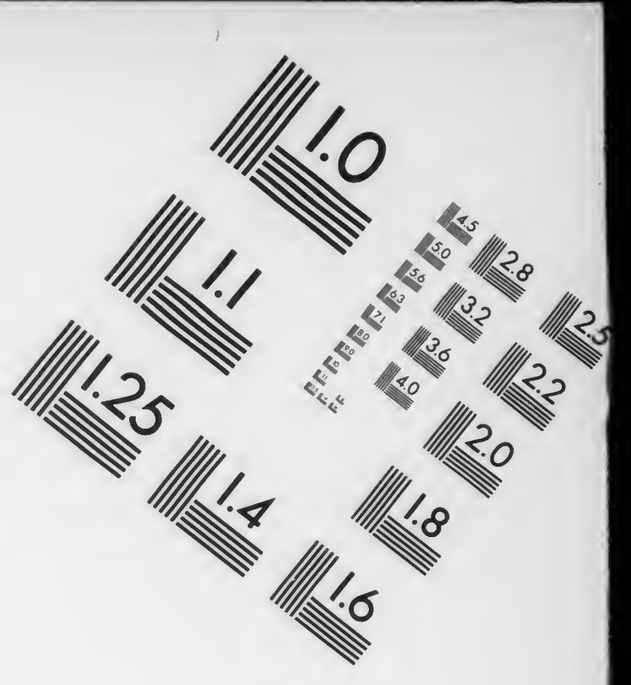

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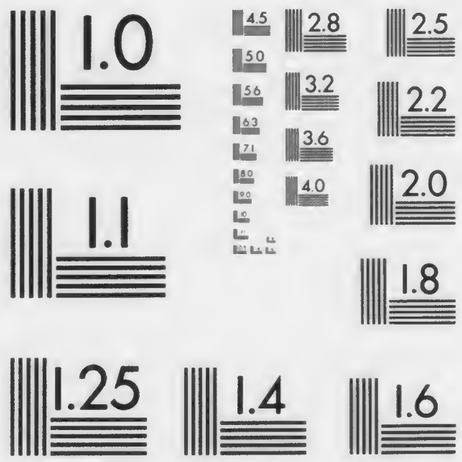

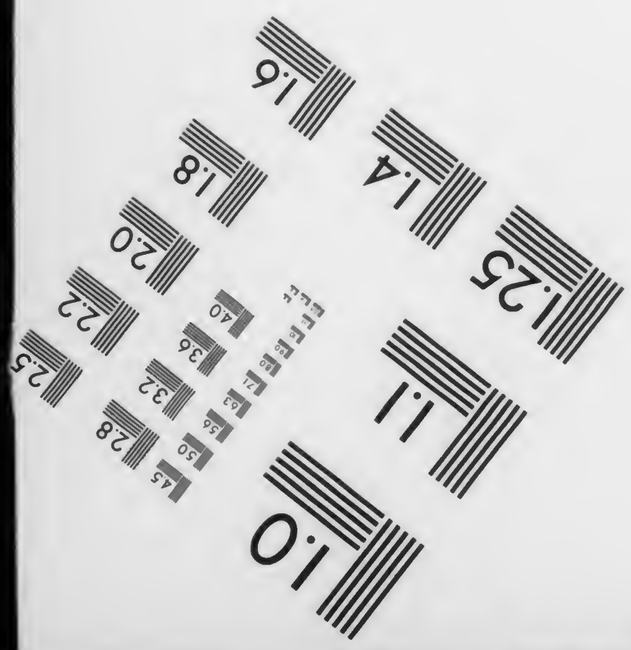
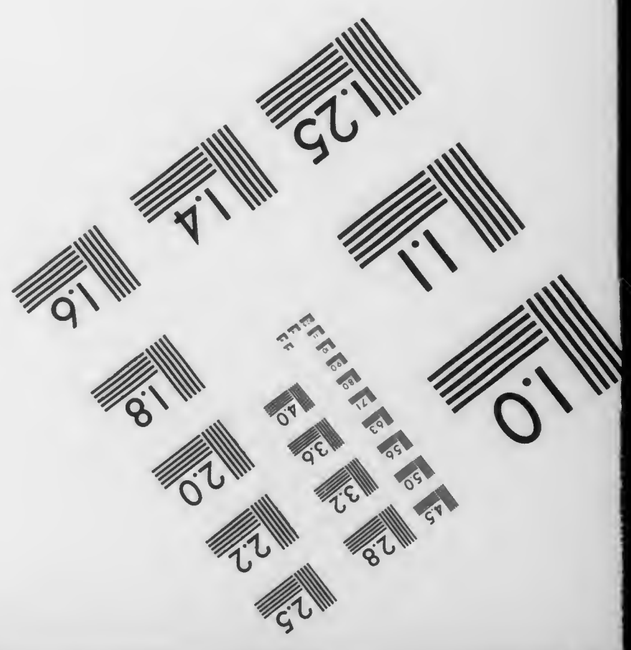

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THE PHARISEES
AND
THEIR TEACHINGS

BY

JACOB Z. LAUTERBACH, PH.D.

Professor at the Hebrew Union College
Cincinnati, O.

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TO THE MEMORY

OF MY WIFE

FANNY OBERWEGER LAUTERBACH

THE PHARISEES AND THEIR TEACHINGS[1]

By JACOB Z. LAUTERBACH, Hebrew Union College, Cincinnati, Ohio

I

THE PHARISEES

THE struggle of ideas and conflicting tendencies which took place among the Jewish people during the third and second pre-Christian centuries and which finally resulted in the formation of two distinct and separate parties, the Sadducees and the Pharisees, was of momentous significance not only for the history and the development of Judaism but also for the history of religion in general. For, this struggle, as well as the subsequent prolonged fight between the two parties, was actually and primarily a fight between two different conceptions of religion, between two opposite views of its aim and purpose. The one, whose keynote was fear, sought to bring God down to man, i. e., nearer to the level of man. Its God was an anthropomorphic God and the worship offered to Him was like the homage and tribute paid to a human king or ruler—all but for the purpose of obtaining His favor or warding off His wrath by pacifying and humoring Him. The other, whose keynote was love, sought to raise man to Divine heights and to bring him nearer to God. Its God was a spiritual God and the worship offered to Him consisted of praising

[1] The study here presented consists of three lectures delivered by the writer before the Divinity School of the University of Chicago and the Garret Biblical Institute of Evanston, Illinois in April 1928. I have been urged to publish them. But since I am, at present engaged in another piece of literary work, the preparation of the English translation of my new edition of the Mekilta, I cannot take the time to go into a detailed discussion of all the questions connected with the subject of these lectures. I, therefore, publish them as they were given and merely add a few supplementary notes which embody my answers to the questions that were asked of me in the discussion that followed the lectures.

and glorifying His name by helping man to lead a life of imitatio dei[2] and thus to approach Divine perfection.

The victory of the latter conception over the former, which, to anticipate what I hope to prove in this course of lectures, was the victory of the Pharisees, determined the course of development of Judaism and thus directly and indirectly exercized great influence upon its daughter religion, Christianity.

For, while the struggle was primarily between the primitive and the spiritual conceptions of religion, it also developed, as time went on, other secondary aspects and later on became "the trial of strength between the purely religious and the political theory of Jewish national life."[3] National life and nationalistic culture naturally go well with primitive conceptions of religion, but do not accord so well with a higher conception of pure religion which of necessity must become universalistic. The victory for higher and purer conceptions of religion, won by the Pharisees, thus necessarily had to result in a broad liberal universalism. And while the Pharisees themselves and the Jewish people that followed them could never entirely give up their national and messianic hopes or their group-consciousness, Christianity which arose among Pharisaic Jews set out to carry this tendency towards a complete religious universalism to its logical conclusion.[4] There can be no doubt that Christianity, in the

[2] On the Pharisaic ideal of imitatio dei see Sifre Deut. 49 (Friedmann 85a, b. Sotah 14a) and especially the saying of Abba Saul (Mekilta, Shirata III, Friedmann 37a): "O be thou like Him," נא דמה לו according to the correct reading of the manuscript adopted in my new edition of the text of the Mekilta. Comp. also A. Marmorstein: Die Nachahmung Gottes in der Agada, in *Jüdische Studien Josef Wohlgemuth zu seinem sechzigsten Geburtstag* (Berlin, 1928) p. 6 ff.

[3] R. Travers Herford, *The Pharisees* (London 1924) p. 45. Comp. also S. Dubnow, *Weltgeschichte des jüdischen Volkes* (Berlin 1925), Bd. I p. XVII, Bd. II p. 143ff. and 571 ff.; and against him I. Elbogen, Einige Neuere Theorien Über den Ursprung der Pharisäer u. Sadducäer, in *Jewish Studies in Memory of Israel Abrahams* (New York 1927) p. 145 ff. Originally and primarily, however, the struggle between the two parties or groups was a struggle of different religious ideas.

[4] The idea of a religious universalism and the tendency of offering its teachings to all mankind were, however, inherent in pre-Christian Pharisaic Judaism from which Christianity took them over. But in the actual carrying

main, sprang from Pharisaic Judaism. Jesus and his disciples did not belong to the priestly aristocratic party of the Sadducees. They were of the plain humble people who followed the Pharisees. Paul was "a Pharisee, a son of a Pharisee" (Acts 23.6) and the disciple of a Pharisee (Acts 22.3). And while Jesus may have expressed some teachings different from those of the Pharisees, or on some questions may have argued against the Pharisaic interpretation of the Law, in most of his teachings he is in full accord with the Pharisees and his sayings echo the teachings of the Pharisees.[5]

Yet, important and significant as these two parties were for both Judaism and Christianity, they have not been correctly understood until a comparatively recent date. Both Christian and Jewish scholars were wanting in an adequate knowledge of the origin, development, and relative position of these ancient Jewish parties. They did not appreciate the tendencies of the two parties nor did they fully comprehend their ideas. There prevailed in general a complete misunderstanding of their relative positions;

out of this idea and in the realization of this tendency Christianity did not go further than, nor even as far as, Pharisaic Judaism. The religious universalism of the Pharisees did not suffer from their refusal to give up the identity of the Jewish group. For they welcomed all other nations to attach themselves to the Jewish nation. They did not discriminate against any race or nation that wished to join the Jewish people and become identified with it. It is true, they insisted upon the performance of certain rites on the part of those who wished to join them, but so do the Christians. Pharisaic Judaism demands circumcision as a condition for admission to the Jewish fold; Christianity demands baptism as the condition for admission to the Church. Pharisaic Judaism demands the acceptance of certain Jewish principles of conduct and rules of ethical life; the Church demands the acceptance of certain dogmatic beliefs. Pharisaic Judaism, however, grants salvation to all who live an ethical and moral life, even if they have not formally entered the Jewish fold; Christianity denies salvation to those outside of its fold. The Church declared that there is no salvation outside of the Church: "nulla salus extra ecclesiam." The Synagogue, however, never said: "nulla salus extra synagogam."

[5] Comp. D. Chwolson, *Das letzte Passamahl Christi* (Leipzig 1908) pp. 85–121, and Joseph Klausner, *Jeshu haNoẓri* (Jerusalem 1922) p. 227, 243–44 and 396 ff. R. Leszynsky, *Die Sadducäer* (Berlin 1912) considers Jesus a Sadducee, but his arguments are not convincing. Even Herford who would consider Jesus an *am haarez* and not a Pharisee, admits that "much of his teaching is substantially what the Pharisees also taught" (op. cit. p. 115).

the older party was considered to be the younger, and the one actually the younger was held to be the older.

The blame for this historical error and gross misunderstanding falls upon some Talmudic reports about, as well as some N. T. references to, these two sects or parties. I do not accuse the Rabbis of the Talmud or the Gospel writers of knowingly misrepresenting historic facts for the sake of party interests, though both might have had very good reasons for doing so. I rather think that they both were human and subject to erring. They both could, and in this case, did make mistakes. It is most likely that both the Gospel writers and the authors of some of the Talmudic reports no longer knew the actual conditions and the historic forces that caused the division of the two parties, and hence they could easily misunderstand their relative positions and their respective tendencies. We can well understand how they came to make the mistakes which they made. Their misunderstanding of the historical situation was probably due to the fact that in their time the Pharisees had already gained the victory over their opponents. The Judaism of the second half of the first Christian century was already predominantly Pharisaic. And in the first half of the second Christian century the Pharisaic teachers and leaders of Judaism were practically alone in the field.

We must also remember that both the authors of the Talmudic works and the authors of the N. T. pursued with their writings only religious and theological, perhaps in some measure also polemical, aims, but certainly no archaeological purposes. At any rate, they were not much concerned with historical critical investigations. They were not interested in a study of the changes and the developments which had taken place in Judaism and within Jewry during the time of the second Temple. They probably did not know, or would not acknowledge, that there had taken place great developments, or that changes had been made. They both innocently believed that the Judaism of their time, with its conception of the Torah and with its methods of interpreting the Law, was the same as that of the time of Ezra, if not of the time of Moses. And they naively believed that the authoritative teachers and representative leaders of their time were of the same class or type, and represented the same tendencies, as those of former generations. Hence the Rabbis of the Talmud, who were followers of the Pharisees in their teachings and in their methods of interpreting the Law, believed that these interpretations and these teachings, which they considered correct, had also been held by the great teachers of the past; accordingly, they presented them as the traditions of the fathers. Their party, or the teachers, who cherished these ideas and applied these methods of interpretation, were regarded by them as the party of the faithful, loyal to the traditions of old, who ever since the time of Ezra, if not of Moses, have always been the authoritative teachers, upholders of the Torah, and true leaders of the people. On the other hand, the opponents of that party, the Sadducees, who rejected these teachings and disapproved of these methods of interpreting the Law, were regarded by the talmudic authors as an heretical sect that came into being at a comparatively late date, a party of wicked people or groups organized by Zadok and Boethus, two faithless disciples of a great Pharisaic teacher, Antigonos of Soko. These two disciples, so the talmudic legend runs, misunderstood a saying of their master and drew from it the wrong conclusion, denying the doctrine of Divine retribution. They left their master, went out and organized the two groups, or sects, of Sadducees and Boethusians respectively, who forsook the true teachings and the traditional interpretations of the teachers of old.[6] Thus the historic position of the two parties, the Sadducees and the Pharisees, was reversed in the minds of the Talmudic reporters.

The writers of the Gospels, who were no more adept in historical criticism than their Talmudic contemporaries, likewise made the mistake of identifying, as it were, or putting in one class, the Jewish religious leaders of their times with the Jewish authorities of the time of Jesus. Now, it is true that the Pharisees who were contemporaries of Jesus never recognized him as the

[6] Abot d. R. Natan, version A. ch. V, version B. ch. X (S. Schechter p. 26). This report cannot be considered historically true, against E. Baneth, *Ursprung der Sadokäer u. Boethosäer*, (Dessau 1882) who regards it as such. It contains, however, a kernel of truth in that it dates back the beginning of the conflict between the two parties to the time of the disciples of Antigonos. See Lauterbach, *Midrash and Mishnah* (New York 1916), p. 58, note 49.

Messiah but otherwise they showed him no unfriendliness. They could not object to his teachings which for the most part at least were in accord with their own; and they certainly did not persecute him.[7] In the times of the Gospel writers the Jewish teachers and leaders who by that time were all of the Pharisees, of course, continued to refuse to believe in the Messiahship of Jesus, and the Gospel writers, therefore, had to polemize against them. But the Gospel writers, knowing no other Jewish leaders and teachers than those of the Pharisee group of their own times imagined that the conditions of their own times also prevailed in the times of Jesus. They naively assumed that the authorities against whom Jesus preached and whom he strongly condemned, and the leaders who persecuted him, were of the same class or type as the Jewish leaders of their own times.[8] Hence, they

[7] The Pharisees could not have any reason for persecuting Jesus—if they noticed him at all—the reports of the N. T. to the contrary notwithstanding. Even if his teachings had been different from, or opposed to, their own teachings, the Pharisees would not have sought to harm him. For, according to Pharisaic principles, even the rebellious teacher, the זקן ממרא is punished only if he incites the people to act against the Law, עד שיורה לעשות, but not if he merely holds or preaches heterodox doctrines (M. Sanhedrin XI, 2). And Jesus never incited the people to act against the Law and never preached the neglect of the fulfilment of the commandments. Even if it be true that the Pharisees asked Jesus why his disciples were doing "that which it is not lawful to do upon the Sabbath" (Matthew 12.2ff. and Mark 2.23 ff.) they did not accuse him of causing his disciples to do so. And the principle with which Jesus is said to have defended his disciples, viz. that: "The Sabbath was made for man, and not man for the Sabbath" (Mark 2.27) was good Pharisaic doctrine. See Mekilta, Tractate Shabbata I, (Friedmann 103b–104a).

Neither could the Pharisees have considered Jesus a blasphemer. If the High Priest declared Jesus a blasphemer he was either ignorant of or in opposition to the Pharisaic interpretation of the Law. For, according to the latter, one can be guilty of blasphemy only if in his alleged blasphemous utterance he mentioned the Tetragrammaton (M. Sanhedrin VII, 5). Jesus, however, used the designation "Power" גבורה and not the Tetragrammaton, aside from the fact that his alleged utterance as such did not constitute a blasphemy. In short, Jesus did not do or say anything which according to the Pharisaic interpretation of the Law was punishable by death. Comp. D. Chwolson, op. cit. p. 86–92 and especially p. 121.

[8] The following instance is an illustration of how the gospel writers, projecting into the past conditions or ideas of their own later times, would substitute "Pharisees" for other people or authorities who had been reported

ascribed to the Pharisees of the times of Jesus actions which the latter could never have performed, and tendencies or characteristics which in reality were those of their opponents.[9] In this way, the Gospel writers also confused the respective religious positions of the two parties and, in many instances at least, gave an inadequate presentation and an incorrect picture of the real aims and aspirations of the Pharisees.

And even the historian Josephus does not give a full presentation or an adequate picture of these two parties. He fails to furnish us with the historical data about their early beginnings and later developments. In his desire to present to his Greek readers the Jewish sects as philosophical schools, Josephus is merely concerned with some aspects of their respective theological positions and with some of their differences in respect of ideas

as opposing Jesus. The accusation against Jesus that "he casteth out devils through Beelzebub the chief of the devils" was made, according to Luke (11.15), by some of the people who witnessed the performance of driving out the devil. According to Mark (3.22) this accusation was made by the scribes, who were not necessarily Pharisees, since there also were scribes among the Sadducees (comp. E. Schürer, *Geschichte des Jüdischen Volkes* II, Leipzig 1907, p. 380–381). And Mark himself mentions "the Scribes and Pharisees" as two separate groups (Mark 2.16, comp. also Luke 5.30 and Acts 23.9). But Matthew, who is the most bitter in his accusation of the Pharisees, because of his having to argue against the Jewish teachers of his time who were the followers of the Pharisees, reports that: "the Pharisees said, he casteth out devils through the prince of the devils" (Matthew 9.34). Comp. also Shirley Jackson Case, *Jesus, A New Biography* (Chicago 1927) pp. 90, 104–105 and 108.

[9] Thus, the accusation that the Pharisees by their interpretation of the laws regarding vows make the commandment to honor father and mother "of none effect" (Matthew 15. 3–6) is absolutely false. Such an attitude towards vows, as implied by Matthew, could have been taken only by the Sadducees, who, as far as we know, did not accept the principle that a teacher has the authority to declare a vow void, since this principle has no basis whatever in the written Torah (comp. Ḥagigah 10a). The Pharisees, however, taught that vows could be declared void by an ordained teacher when the person who made the vow had a good reason for regretting his having made the vow. The Pharisaic teachers would even suggest to the person who made the vow how he could be released from his vow when it conflicted with the duty of honoring father and mother (M. Nedarim IX, 4). See Lauterbach, Vows, in *Jewish Encyclopedia* XII, p. 451–52 and comp. Strack-Billerbeck, *Kommentar zum Neuen Testament* I (München 1922) to the passage in Matthew, especially p. 715.

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and beliefs, but he does not give any positive historical information about the origin and the respective development of the two sects.[10] No wonder, then, that for centuries, up to recent times, these two ancient parties and their respective tendencies and relative positions, were not correctly understood even by scholars. The source material was deficient in direct and positive historical data.

And yet in each of these ancient sources there are to be found some details of the conflict between the two parties or some references to one or another of its aspects, which hint at the real differences in their respective viewpoints. Each one of the three sources, Josephus, the Talmud, and the New Testament, gives, implicitly or explicitly, some correct information about these two parties. There is enough factual material as well as significant indications preserved in the Talmud and Josephus—some even in the New Testament—which, if rightly understood and correctly interpreted, throw light on the respective theological positions of the two parties and reveal especially the true character and teachings of the Pharisees. But the mistake made by these ancient reporters in regard to the chronological order and the relative historical position of the two parties made even their correct data and their other valuable information less clear and more difficult to understand. For the one mistake of necessity, brought others with it. Once the parties were put in a false historical order, or given the wrong historical setting, their views, beliefs, and tendencies were also, to some extent at least, viewed in a false light.

If we wish to understand correctly the character and the tendencies of the two parties, we must first correct that error and put each historically in its correct place. We shall then have no difficulty in correctly understanding the ancient reports about them. The information thus gathered from these reports, critically examined and correctly interpreted, will give an adequate picture

[10] Josephus also assumes that the Pharisees were the older sect. For, in describing the sects he refers to the Pharisees as "the first sect" (Wars II, 8. 2; Antiquities XVIII, 1. 3). And like the Talmud (Berakot 29a) he reports that John Hyrcanus had originally been a disciple of the Pharisees and then turned against them and joined the Sadducees (Antiquities XIII, 10. 5).

and a correct presentation of the characteristic tendencies of the two parties. It will thus lead especially to an appreciation of the character, position, tendencies, and teachings of the Pharisees.

Let us begin, then, with the question as to the relative historical position of these two parties and their respective attitudes towards tradition. The Pharisees were not the older conservative party who preserved the older methods of interpretation and followed the traditional applications of the law (Torah), although, paradoxical as this may sound, they did advocate the authority of Tradition as such. The Sadducees, on the other hand, were not the heretical group who broke away from the older teachings and denied the true traditions of the fathers. The reverse was the case.[11] The Sadducees were the older, conservative party who adhered strictly to the traditional, simple methods of interpreting the Torah, and who preserved the older, primitive conceptions of religion and beliefs about the Torah and the character of its authority. They practiced the ancient laws exactly as prescribed in the Torah. They retained and held to the traditional belief that there is no other authority equal to the authority of the Torah. They would not recognize any other authority as equal to that of the Torah, not even the authority of Tradition; and hence they denied the binding character of the so-called traditional laws. The Pharisees, on the other hand, were the younger, progressive party composed originally of democratic laymen who outgrew some of the older notions, cherished modern and liberal ideas and therefore became separated from the older group and formed a distinct party. They were the liberal separatists, the dissenters who rejected some of the ancient traditional conceptions of religion and who broke away from the primitive traditional attitude towards the Torah. They invoked the very authority of Tradition to support them in their fight against some harmful traditions.

These were, generally speaking, the relative historical positions of the two parties and their respective viewpoints. But both

[11] On the question, how the conservative Sadducees came to reject, and the progressive Pharisees came to recognize, the authority of the traditional law, see Lauterbach, The Sadducees and Pharisees, in *Studies in Jewish Literature, issued in honor of Dr. K. Kohler* (Berlin 1913) p. 176–198.

parties had their antecedents. Their platforms were not newly made. The opposing parties did not suddenly spring into existence, fully developed and in such shape as we see them when already in actual combat. Even the Pharisees, the younger party, were merely as a party younger than their opponents; they were comparatively newcomers but not entirely newly-born. Though as a party they were younger and of recent date, yet the tendency followed by them was not entirely novel or new. In their spirit and for their ideas they went back, though not in a direct line, to older prototypes; and their opponents, the Sadducees, surely had behind them a long line of predecessors. To understand and appreciate correctly the Pharisees and their teachings, one must go back not only to Ezra and his work[12] but even beyond Ezra and his time to the works of the prophets, just as to understand the Judaism which the Pharisees developed and so strongly modified and spiritualized one must go back to its very source and its basis in preëxilic times. For the roots of the Pharisaic ideas, the very origin of their principles, the basis of their religious philosophy or theology, are to be found in the teachings of the prophets of old. The Pharisees were the spiritual heirs or the actual, though not the direct, successors of the prophets. They came to their inheritance a long time after the departure of the prophets. But once they entered it they asserted their right to the heritage, persisted in keeping and developing it, and they carried on the fight of their spiritual forbears to a successful victory.

For the fight of the Pharisees against the Sadducean priestly aristocracy with its primitive ideas of religion as a cultus and particularistic conceptions of God, Israel, and the Torah was, practically, but a revival of the old opposition of the prophets to the priesthood. It was a renewal, in a more persistent manner, of the conflict between the prophets and the priestly organization of preexilic times. The attitudes and the tactics of the prophets and the Pharisees in their respective struggles show many parallels and striking similarities. Like the prophets, the Pharisees in principle had little use for the sacrificial cult, but tolerated it, when not accompanied by false conceptions of God and not

[12] See Herford, op. cit. p. 18 ff.

resulting in unethical conduct towards man. They fought it when it tended to lead to wrong conceptions of religion. And just as the prophets in the course of time came to combine the priestly doctrine with the prophetical ideas, made their peace with the sacrificial cult but sought to regulate and improve it, so also did the Pharisees in the course of time, as they prevailed against their opponents, make their peace with the entire priestly ritual and the sacrificial service of the Temple, but they sought to regulate and improve it, spiritualize it and democratize it.[13] In fact, the very secret of their great success lay just in this, that they used against their opponents the very materials accumulated by the latter. They employed for their own higher spiritual purposes their opponent's equipment and institutions. They took over the control of the Temple service and combined with it a higher form of worship. They introduced into the Temple the service of the Synagogue. They retained the ritual of the Temple, but made it expressive of spiritual truths. They prescribed rites but made them symbolize right thinking and just conduct. They developed a ceremonial but it was suggestive of ethical ideals and of advanced religious beliefs. They recognized and admitted the principle adhered to by their opponents, that the Torah is the supreme and only authority and that its laws must be fulfilled by the Jew, but they defined the term Torah differently and extended it to mean more than the *written laws* contained in the five books of Moses. They followed the precepts of the Torah but they first humanized them by interpreting them according to the spirit and not according to the letter.

For the Pharisees were not only heirs of the prophets but also disciples of the priests—and very apt disciples at that. A brief review of the history of Judaism, prior to the actual division into the two parties, will show that the two groups, that were later on to become separate and opposing parties, for a long time occupied common ground. The budding younger group started out as alert and eager disciples of the older, priestly group. For a long time, and for a considerable distance, they travelled together

[13] And when the Pharisaic teachers after the destruction of the Temple hoped for its restoration, they had their prototype in the priest-prophet Ezekiel.

along the road of the history and the development of post-exilic Judaism, with but occasional manifestations of minor disagreements. When differences first arose they were not so pronounced and could be settled peacefully; the master, secure in his position and conscious of his authority, yielded a little, and the pupil respectful or reverential, submitted to the authority of his elders. But gradually the disagreements became frequent and more pronounced, and they were more strongly felt by both groups. The differences increased and became intensified, making it impossible for master and pupil to keep on travelling together. They reached a point where their ways parted and they finally separated from one another completely. The master was indignant and embittered against the ungrateful, disloyal, and pretentious pupil. The pupil, resolute in his zeal, was determined not to let any consideration interfere with his pursuit of righteousness and search for truth—not even respect for his elders. He acted on the principle, later on enunciated and followed by the Pharisaic party, that "where a higher cause is at stake even the honor and the respect due to a teacher are to be disregarded."[14] This brief historical review will show us the immediate causes of the final breach between the two groups, the conditions that prepared and the forces that led up to the formation of the two parties; in other words, Pharisaism in the making.

I said before that the struggle between Pharisees and Sadducees was, in a way, but a renewal of the conflict between prophets and priests of preexilic times. Now, that old conflict had never been fought to a finish. No party had won a decisive victory. A compromise was effected in the Deuteronomic reformation which, for a time at least, seemed to have secured peace without victory. But soon Judea was conquered by Nebuchadnezzar, Jerusalem and the Temple were destroyed, and the people were exiled to Babylon. This national catastrophe, seemingly, decided in favor of the prophetic ideas and dealt a death blow to the priestly conceptions of religion among the Jewish people.

Brooding over the sad fate which had befallen their country and their nation, living in a foreign land, away from the holy city, deprived of a Temple with its sacrificial cult, and without

[14] כל מקום שיש חלול השם אין חולקים כבוד לרב Sanhedrin 82 and Shebuot 30b.

the priestly oracle, the people of Judea could not help learning to appreciate the truth of the prophetic teachings, viz., that God is everywhere and not only in Palestine or Jerusalem, that He is the Lord of all the universe, ruling and guiding the destinies of all peoples, and not only that of Israel; that He can be served by other means than offering sacrifices to Him, nay, that even more than sacrifices He desires a true knowledge of Him and His law. And, no doubt, the prophetic ideas about the One God and the universality of His law, the one humanity and Israel's special place in it, took root in the minds of many Judeans and began to be formulated already during their exile in Babylon.

But when the returned exiles rebuilt the Temple and restored the sacrificial cult, the priests were also restored to their former position as religious leaders. The priestly conceptions, then, regained their influence and overshadowed the prophetic ideas. The Jewish people in Judea during the Persian period constituted an autonomous religious community with the High Priest as its chief and highest religious authority, though politically under the control of the Persian rulers. This reorganized community received from Ezra, the priest and scribe, the Law of Moses. They entered into a covenant and pledged themselves by a solemn oath to walk in the ways of the Law of God which was given by Moses, to obey it and to observe and to do all its commandments, its judgments and statutes (Nehemiah 10.1 [English Translation 9.38]—29ff). In this manner, then, by the binding power of the covenant and the solemn oath, the Torah, or the Book of the Law of Moses, became the constitution of the reorganized community in Judea, the law whose precepts were to be binding upon every Jew. This law was to be the only authority recognized by the people; but the priests, especially the priest-scribes, the successors of Ezra, were the keepers of the Book of the Law, the official teachers and interpreters of the Torah.[15]

This was as it should be and as it always had been. It was in perfect harmony with traditional usage and in keeping with the old custom that had prevailed in Israel and Judah from time

[15] See Lauterbach, *The Sadducees and Pharisees*, pp. 180–182 and p. 187 note; *Midrash and Mishnah* p. 44 note 39 and pp. 58–60; and see below note 18

immemorial. The people were accustomed to believe that the priests were the rightful teachers of the Law. They used to say: "For instruction (Torah) shall not perish from the priests" (Jeremiah 18.18; comp. also Ezekiel 22.26 and 44.15–24, Hosea 4.6, Micah 3.11). The two functions of officiating at the altar of God and of teaching the Law of God went together. The priest who ministered to God and brought to Him the sacrifices and offerings of the people, also ministered to the people and brought to them a message from God, and taught them His law. And the Torah itself, the very law which the reorganized community had accepted as their authority, points to these two functions of the priests, the sons of the tribe of Levi. In Deut. 33.10 it says: "They shall teach Jacob Thy Judgments and Israel Thy Law; they shall put incense before Thee and whole burnt sacrifices upon Thy altar." And in Deut. 17 these priests are designated as the authoritative teachers and competent interpreters of the law, who alone have the right and the authority to render judgments according to the law and to decide all questions of law, ritual or religious practice. The post-exilic community that accepted from Ezra the Torah as its chief authority, consequently, recognized the authority of the priests, designated by that Torah, as its competent teachers and interpreters. The people were satisfied that "the priest's lips should keep knowledge, and they should seek the law at his mouth" (Malachi 2.7). Under the leadership of the High Priest the priest-scribes no doubt formed some sort of an organization, an official body vested with authority to arrange all religious matters and to settle all questions of the life of the community in accordance with the Law as they interpreted it. Throughout the entire Persian period, then, these priests, while teaching the Torah, naturally taught it according to their primitive understanding of it. They interpreted its laws simply and literally. And while striving to preserve the religion of the fathers and to spread the knowledge of it among the people, it was their own priestly conceptions of that religion which they preserved and sought to perpetuate among the people. No prophet arose to criticize them, to challenge their interpretations of the Law, or to dispute their authority as religious leaders of the community.

But the seed sown by the prophets, which, as we have seen, found a favorable soil in the minds of the people during the exile, was not lost. The prophetic ideas about Israel, God and His Law were not entirely forgotten. They were cherished and preserved at least by some of the choice spirits among the people. And when conditions became favorable, those ideas became more articulate and found their expression in a movement participated in by many of the pious lay people.

These favorable conditions came after the overthrow of the Persian Empire by Alexander which brought Judea under Greek rule and which indirectly helped to weaken and undermine the authority of the priestly organization in Judea.[16] The third century was the period of germination for those ideas of the prophets which had been clearly recognized in the exile but pushed into the background in Palestine during the Persian period.

The Greek governments under which the Jewish people now lived, while not interfering much with the internal affairs or the religious life of the community, would, of course, not especially favor that priestly organization nor give it much support. The disturbed conditions, brought about by the wars between Alexander's successors and the repeated changes in sovereign rulers, were likewise not favorable to the continuation of the organization of priests as the undisputed official authorities and leaders of the community. As a matter of fact, in the third century B. C. E. there were already among the people many laymen, i. e., Israelites, or rather men of Judah, of non-priestly families, who possessed a knowledge of the Law and of the prophets and of the teachings of their religion. The people were no longer entirely dependent on the organization of the priests for their religious instruction. The lips of the priests were not the sole keepers of religious knowledge, and the people could occasionally seek and obtain instruction in the Torah from the mouths of non-priestly Israelites.[17]

[16] See Lauterbach, *Midrash and Mishnah* p. 40ff.

[17] See ibidem p. 46ff. Such a lay-teacher was Jesus Sirah. Sirah was not a priest. He was not one of the older Soferim, for he lived at about 200 B. C. E., after the close of the period of the Soferim. The early Soferim were priests. But during the third century, especially towards the close of it, there were

With the spread of the knowledge of the Torah among the people there spread also some ideas arousing doubts as to the privileges and undisputed authority of the priests. From that very Torah, considered as the highest authority by both priests and people, the people learned that they were all meant to be "a kingdom of priests and a holy nation" (Exod. 19.6), and that "the Torah which Moses commanded was intended to be the inheritance of the entire congregation of Jacob" (Deut. 33.4), and not the exclusive possession of one privileged class, the priests. And while the story of the terrible fate of Korah and his associates would deter people from any attempt at rebellion against the priestly leaders, and no one would dare as yet openly and positively to question the authority of the priests, yet people could not help remembering also the words of those ancient rebels recorded in the book of Numbers: "Ye take too much upon you, seeing all the congregation are holy, every one of them, and the Lord is among them; wherefore, then, lift ye up yourselves above the assembly of the Lord?" (Num. 16.3). In their minds, at least, the lay leachers of the third century B. C. E. must have addressed these words to the priestly leaders of their own time.

They may have been encouraged in these vague doubts and questionings of the authority of the priests by their new environ-

already teachers of both groups, priests and lay people. Sirah belonged to the latter. While he cannot be considered a Pharisee, as there was not yet a distinct party of Pharisees in his time, he certainly was not a Sadducee; that is, he did not share the ideas of that aristocratic priestly group that later on came to be known as the Sadducean party. The fact that Sirah does not mention the belief in the resurrection of the dead is no argument to the contrary. At most this would merely be an argumentum e silentio which has no weight in this case. He may not have had occasion to mention this belief; or this belief may not as yet have become definitely formulated by the lay-group of his time. At any rate, there is no indication in the Talmudic literature that Sirah was regarded as a Sadducee. On the contrary, the Rabbis have rather given Jesus Sirah positive recognition and have declared that his book was offering some good teachings. This shows that they did not regard him as a Sadducee. Comp. G. F. Moore, *Judaism*, I (Cambridge 1927) pp. 37ff. 24 and 44.

ment, and by the acquaintance with Greek institutions which not only the Jews in the Diaspora but also the Jews in Palestine, had made during the third century. There were in Palestine during the third century many Greek colonies, settled in special cities or communities, which were administered along the lines of Greek democracies. In these democratic communities all free citizens were equal and every member of the community participated in its rule and had a share in the administration of the communal affairs. These ideas of liberty and democratic principles the Jews found to be in accord with the laws of the Torah and the teachings of the prophets. And yet they noticed that their own system of communal government was in one important feature fundamentally different from that obtaining in the Greek democracies. Among the Greeks the priests were the servants of the people and not its rulers, while in their own community the Jews found that their rulers and chief authorities were the priests. The people felt—and it was not a pleasant feeling—that in this respect their system of communal government did not compare favorably with that of the Greeks. The explanation that their community was really ruled by the Torah which they, the people themselves, had accepted as their chief authority, and that the priests were merely the interpreters of the Torah who guide and direct the people in the name and according to the laws of that Torah, could not for long satisfy them. For the lay teachers would naturally ask, why should the priests alone be the authoritative interpreters and official administrators of the Torah? If the Torah is the constitution and the sole guide and law of the community, then knowledge of it alone, and not any inherited family privilege, should qualify one for participation in the government of the community by interpreting and administering the laws of the Torah. Recognizing the Torah as their chief authority and believing it to be the Law of God, perfect and right in all its precepts, true and righteous in all its ordinances (Ps. 19.9–10), these pious lay students of the Law soon came to believe that the Torah indeed never meant to give the priests any special privilege with regard to interpreting and administering its laws. And when the Torah mentions the priests as the authoritative teachers of the law whose interpretations must be accepted

and whose decisions must be obeyed (Deut. 17), it merely describes a condition but does not prescribe a rule. They were given the right to interpret and administer the law, not as a hereditary class privilege or family distinction. This right was given to the priests because it just happened in ancient times that they alone had cultivated the Torah and known it; and they, therefore, were in a position to teach and interpret it. This privilege given to that group of teachers because of their knowledge of the law and not because of their being priests, is, therefore, equally to be enjoyed by any one of non-priestly birth who has an adequate knowledge of the Torah. This must have been the line along which the lay-teachers reasoned. It was probably the first instance of departure from the literal, simple meaning of the words of the Torah, and the first attempt at interpreting the Torah not strictly according to its letter, but according to the spirit and the purpose aimed at by the law. Possibly these pious lay-teachers were surprised themselves when realizing that they were interpreting the law in that novel and unheard-of manner. But they persuaded themselves into believing that their interpretation was correct. They probably found a support, if not the suggestion, for their interpretation in another passage of the Torah where it is said of the priests: "They shall teach Jacob Thine ordinances and Israel Thy law" (Deut. 33.10). They found that this declaration, designating the priests as the authoritative teachers, is preceded and, as it were, motivated by the words in verse 9: "For they have observed Thy word and kept Thy covenant." In other words, it was only because the priests had kept the Torah, observed it and studied it, that they were qualified and authorized to teach and interpret it. And, therefore, any one, not of the priests, who has studied the Torah, acquired a knowledge of it and is thus in a position to teach it, must likewise have the authority to interpret and administer the law. For, "the Torah commanded to us by Moses is the heritage of the congregation of Jacob" and not of the family of Aaron or the tribe of Levi. So the learned pious men of Israel, of non-priestly descent, began to demand their share in the heritage. They claimed the right to have the same authority of interpreting and administering the law, as was enjoyed by the priests. Of course,

we have no express records of this phase of the struggle.[18] We cannot tell how boldly and how forcefully this claim was made, nor do we know with certainty the arguments put forth in support of this claim. But this much is certain; the group of Israelitish, non-priestly students of the Torah, the pupils of the elder priestly group, made this demand successfully. The master, willingly or forced by circumstances, had to yield. And the pupil became the colleague. For in the beginning of the second century we find that the new Sanhedrin, or the Gerousia, the authoritative body in charge of all the affairs of the community, the body interpreting and administering the law, was composed of both priests and Israelites. To use the phraseology of the Zadokite Document, it was an assembly of "men of understanding from Aaron" and of "wise teachers from Israel."[19]

With this admission of lay teachers to the new Sanhedrin, which practically meant a recognition of their authority as interpreters and administrators of the law and their equality with the priests, the fight between them and the older priestly group was by no means settled. It really just began. It now developed into a conscious determined fight, fought within that new Sanhedrin which had as its task to arrange and regulate the life of the people according to the Torah which the people in the times of Ezra had pledged themselves to obey and follow. The task of that assembly was a very difficult one. The Torah seemed inadequate for the new life. All the laws contained in the Torah interpreted literally and in the simple manner, as they were, would seem insufficient to meet the demands now made upon it or to answer the needs of the new situation which had

[18] See Lauterbach, *The Sadducees and the Pharisees*, op. cit. p. 185 note and pp. 190–191. An echo of this ancient struggle between the lay-people and the priests is perhaps to be found in the following passage of the Midrash אלה הדברים זוטא quoted in Yalḳuṭ Shimeoni to Deut. 27.9 (938), which reads: וידבר משה והכהנים והלוים מה דברים היו שם ללמדך שבאו ישראל ואמרו למשה נטלת את התורה ונחת לכהנים שנאמר ויכתוב משה את התורה הזאת ויתנה אל הכהנים אמר להם משה רצונכם שיכרתו לכם ברית שכל מי שמבקש ללמוד תורה לא יהא נמנע אמרו לו הן עמדו ונשבעו שאין אדם נמנע מלקרות בתורה שנאמר אל כל ישראל לאמור אמר להם משה היום הזה נהיית לעם. This passage expresses a protest against assigning the interpretation and administration of the Torah to the priests.

[19] See *Midrash and Mishnah* pp. 50–52.

arisen in the life of the community. The conditions of life now prevailing in Judea were very different from conditions in the times of Ezra when the people accepted the Torah and pledged themselves by oath to follow all its precepts. These changed conditions created new situations in life. Questions arose for which no answer could be found in the Books of the Law. There came up unprecendented cases of law, ritual or practice, which could not be decided on the basis of any law or precept in the Torah as traditionally interpreted. The problem before this new Sanhedrin, composed of priests and lay-teachers, was, how to find in the old law new rules, answers to new questions, decisions for entirely new cases; in other words, how to harmonize law with life, the old law of the fathers with the new life of the day. Each one of the component groups of that new Sanhedrin looked at the problem before them from a different point of view. Each one of them had a different approach to its solution.

The attempts at solving the problem, the various proposals to meet the difficult situation, brought out in sharp contrast the differences in tendency and outlook, between the older priestly group and the younger group of non-priestly teachers and members, the newcomers to authority. The latter whose very claim to equal authority with the priests was, as we have seen, based upon, or at least supported by, an interpretation of one passage in the Torah according to its spirit, would not hesitate to follow the same method in the case of other passages of the Torah containing laws and precepts. They would be ready to depart from the letter of the Torah and interpret it according to the spirit and its underlying ideas, so as to find in it answers to new questions, or discover in it principles which would guide them in deciding new cases or solving new problems. Again, in seeking to define what constitutes the law of the fathers, these lay-teachers would naturally not be as strict and as literal as the older priestly group. The very fact that they claimed for themselves, though they were not of priestly descent, equal authority with the priests, would prevent them from deprecating such customs and practices as had for some time been observed by the people, even though these customs and practices had never been officially sanctioned or recognized by the priestly authorities.

After all, to their way of thinking, the priests were not the exclusive authorities, to determine what is religious practice or custom of the fathers. Might not, so these lay-teachers were inclined to argue, the people who introduced or indorsed these practices have had good reasons or reliable authority for these practices, even though the priests had not known them, or refused to recognize them? Might not the Torah, which is not to be understood only literally, be so interpreted as to suggest indorsement of such practices, or so defined as to include all good customs of the fathers, preserved by the people but not expressly written in the words of the Torah, and not recognized by the priests? It was along such lines of reasoning that the lay-group proposed to solve the problem before them.

The older priestly group, on the other hand, could never follow in this direction. They could not entertain such radical notions as to the method of interpreting the Torah, and would not admit the possibility of some popular practices having a religious authority behind them, when they and their forbears, the priestly teachers of old, had never known them. They would, of course, not admit that there ever were any authorities other than that of the priests. They and their priestly forbears alone had always been the sole religious authorities and official teachers of the law. With their primitive conceptions about the authority of the Torah, and refusing to admit that they, the long established teachers of that Torah, did not understand it correctly, they would hold on to their old methods of interpreting the law, taking its words according to their literal meaning. And, accordingly, they would naturally propose to solve the problem before them in a manner compatible with their conservative ideas and tending to secure for them their old prerogatives and to perpetuate them in their old privileged position as the authoritative leaders.

These differences in the attempts at meeting the difficult situation were, of course, the expressions of different conceptions of the Torah and of different religious outlooks; but the two groups, as yet, did not recognize their differences as fundamental and irreconcilable. They still hoped to be able to compose their differences and work together. For a time, the two groups in that

new Sanhedrin struggled to agree. For about twenty years, according to the Zadokite Document,[20] these two groups worked together, making honest efforts to compose their differences and endeavoring to find the right way for regulating the life of the people in accordance with the laws of the fathers. But the aggressive campaign for hellenization inaugurated by the Syrian rulers, and abetted by some traitorous priests which soon resulted in religious persecution, interrupted the functioning of that new Sanhedrin. In the face of the great danger, that threatened the Torah and the religious life of the community, the two groups who, although differing in tendency and point of view, were both true to the Torah, as they understood it, and loyal to the religion of the fathers, forgot their differences and their disagreements. The pious men of Israel joined the faithful priests in the fight against the common foe, the enemy of their religion.[21]

But after the Maccabean victory when peace was established and religious freedom secured, when under a government of their own, headed by a king-high priest, the Jews were to live according to the religion of their fathers, the entire life of the people was again to be regulated and controlled by the laws of the Torah, as interpreted by the rightful authorities. Then the question of who constitutes the rightful authority to interpret the law was again raised, and the differences between the two groups as regards the interpretation of the Torah and the conception of the religion of the fathers again became keenly felt. Both parties now recognized that their differences were fundamental and irreconcilable. The group of lay-teachers realized that their conception of the Torah, and their interpretation of its contents and hence their whole religious outlook were radically different from those of the older priestly group. And they concluded that they could no longer continue to work together with that group. The priestly group, on the other hand, now again under the rule of a sovereign of their own, and backed by the power of a political government, were less willing to yield their authority and give up any of their ancient privileges.

[20] See *Midrash and Mishnah* pp. 57–58.

[21] See I Macc. 2.42ff. and comp. *Midrash and Mishnah* p. 53 note 47.

So finally, during the reign of John Hyran, the non-priestly teachers, the *Ḥakme Israel* (חכמי ישראל), were excluded from membership in the assembly or the Sanhedrin and branded as Dissenters or Separatists. The name, פרושים, Separatists, was given them by the priestly party and was meant as a taunt, the expelled ones, or, those who are different.[22] They accepted this taunt and took up the name of *Perushim*, Pharisees, but interpreted it as a title of honor, the Separatists who separated and held aloof from those who do not follow the right way, who do not interpret the Torah correctly, and who have the wrong conceptions about God and Israel. Thus was formed the party of the Pharisees, who were conscious of their separateness and different from the priestly group that now came to be called the Sadducean party.

How the Pharisees developed their teachings which had their roots in the ideas of the prophets; how, independent of, and in opposition to, the traditional priestly authorities, they created a tradition of their own and developed a traditional law, interpreting and supplementing the written law, and how they developed and formulated their liberal doctrines of Judaism based upon the right conceptions of God, Israel and the Torah, we shall discuss in the next two lectures.

II

THE PHARISEES' ATTITUDE TOWARD LAW AND TRADITION

For a correct understanding and an adequate appreciation of the teachings of the Pharisees, it is necessary to ascertain the fundamental principles underlying their teachings and the ideas

[22] See, *The Sadducees and Pharisees* p. 195–6 and comp. Pseudo-Tertullian, *Against All Heresies* ch. I. Later on, with the development of their special methods of interpreting the Law, the name "Perushim," slightly changed and pronounced "Paroshim" may have been taken as indicating "interpreters" or "expounders" of the Law. A very fanciful interpretation of the origin of the name "Perushim" is given by Solomon Rubin in his Yalḳuṭ Shlomoh (Krakau 1896) pp. 66–67. According to him, it originally was פרסים, denoting the people who came back from Persia (that is, the Babylonian Exile), but later on it was changed to פרושים, meaning "Separatists" or "Interpreters" of the Law.

which guided them in interpreting the Law and in regulating religious practice. A detailed presentation of their teachings is not within the scope of these lectures nor would it serve our purpose. A mere enumeration of all the differences between them and their opponents on questions of law and ritual, even if accompanied by the arguments said to have been advanced by each party, would not give us an adequate knowledge of their respective ideas and teachings. We would still have to search for the real reasons for these differences and for the motives that caused the Pharisees to oppose this or that ritual practice of their opponents, or to interpret this or that law differently. For even when reasons for their differences are stated in the traditional reports, they may not have been the real reasons. And where the arguments, they are said to have advanced in their disputes with their opponents, are reported, one cannot with certainty learn from them the real reasons for their position in the dispute. For, in the first place, these arguments, even if actually advanced by the Pharisees themselves, may, like most arguments in polemics, have aimed more at confounding the opponents than at explaining their own position and setting forth their own real reasons. Secondly, they may represent later explanations or ex post facto justifications of their positions.

On the other hand, if we ascertain the fundamental differences, the ideas and beliefs, that distinguished the Pharisees from their opponents, we can appreciate their whole religious outlook. We shall then, without need of going into details, be able to obtain a correct understanding of all their teachings, and to know the real reasons for all the differences on questions of law, practice and ritual. For the latter are merely the logical, and in some instances psychological, results of the former. It was their religious ideas, their theological principles, that prompted the Pharisees in their opposition to the older priestly party, and determined their interpretation of the Law and the stand they took on certain questions of ritual.

We shall, therefore, consider primarily how the Pharisees understood the three central concepts of Judaism; viz., God, Israel, and the Torah, which are fundamental doctrines in Judaism, or, as one might call them, the Jewish Trinity. For,

the understanding and interpretation of these three concepts decides the character of Judaism and determines all its aspects, its laws and rituals, its beliefs and practices. These three ideas are in Judaism intimately connected with one another, and in Jewish thought they are inseparable. To use the words of an older Jewish mystic, "While these three are separate and distinct concepts, they are almost like one, in that they are bound together and cannot be separated from one another."[23] In other words, these three ideas hang together and are inextricably interwoven. A primitive conception of one of them effects also a wrong view of the two others and results in a narrow backward religious outlook. An advanced view of the one of them must by logical necessity lead to a correspondingly advanced understanding of the two others and results in a broad liberal conception of religion, as indeed was the Pharisees' conception. The very fact, however, that these three ideas are so intimately connected, depending upon and conditioning one another, makes it very difficult to discuss one of them apart from the others. One can hardly give a separate presentation of one of them without occasionally repeating, and without getting into a discussion of the other or touching upon some aspect of the third. And yet we cannot discuss all three of them together. A lucid presentation of the Pharisaic understanding of these three concepts demands that we consider them separately and treat each one of them independently of the others, even at the risk of being involved in unavoidable repetitions.

Now, the Pharisees themselves started with some new ideas about the Torah, and, recognizing the Torah as their chief authority, found in the Torah, as they understood and interpreted it, all their other teachings—even their understanding of the other two central concepts, God and Israel. It is, therefore, but logical for us to begin with a discussion of their conception of the

[23] ג' דרגין אינון מתקשרין דא בדא קב"ה אורייתא וישראל וכו'. . . Zohar, Aḥare Mot (Lublin 1872) p. 129 and 145–146. A later Jewish mystic, R. Israel Besht, goes farther by saying: קוב"ה ואורייתא וישראל כולא חד (*Keter Shem Ṭob II* [Slavita] p. 2a).

Torah. Such a discussion must of necessity include also a consideration of their attitude towards the Tradition of the fathers, which for the Pharisees, at least in their later development, constituted a part or one aspect of the Torah.

The Torah is the cornerstone of Judaism, the basis of all its teachings. But, for the Pharisees, the Torah contained much more than their opponents could or would find in it. As they understood it, the Torah comprised all and expressed all. We have, therefore, to inquire, what, according to the Pharisees, is the Torah? What is its origin? Upon what does its binding authority rest? For whom is it intended? What is its aim and purpose? How is it to be understood and interpreted? We can answer these questions best by first learning the views of the opponents of the Pharisees on these questions. We must, therefore, first make clear to ourselves what was the conception of the Torah held by priests and people before the advent of the Pharisees, the conception which the Sadducees continued to hold even after the Pharisees broke away from them. And then, knowing the points of departure from which the Pharisees started, we shall understand better how radically they differed from the older party in their views on these questions. By contrasting these views with those of the older party, we shall be able to appreciate the great advance their conception of the Torah represents.

Now, the Torah was the common ground upon which both Sadducees and Pharisees stood. The position held by priest and laity alike, before that group of lay-teachers, the Pharisees to be, started on their progressive march towards advanced Pharisaism, was, that the authority of the Torah was supreme and binding upon the people, and that every one of its laws had to be carried out strictly and scrupulously. In what light the older priestly group considered the Torah, and what was to them the nature of its authority, what ideas they had about the binding character of its laws, we learn from the account of the procedure at that solemn assembly in which the Torah was accepted by the people. When the people accepted the Torah, read to them by Ezra, they entered a covenant and pledged themselves by a solemn oath to observe and keep its laws. We read in Nehemiah (10.1, 29–30)

as follows: "And yet for all this we make a sure covenant and subscribe it; and our princes, our Levites, and our priests, set their seal unto it . . . And the rest of the people, the priests, the Levites . . . they cleaved to their brethren, their nobles and entered into a curse, and into an oath, to walk in God's law, which was given by Moses the servant of God, and to observe and do all the commandments of the Lord, our Lord, and His ordinances and His statutes." It is evident from this account that in order to insure allegiance to the Torah and obedience to its laws it was deemed necessary for the people to enter a covenant and pledge allegiance by oath. According to ancient primitive belief, the only sure method of enforcing obedience to the Law, especially on the part of future generations, was to make the people take an oath to keep the Law and thereby to impose a curse upon its transgressors. An oath was regarded as eternally binding and remaining in force for all times, its violation automatically bringing the stipulated curse as a necessary consequence. The Torah then, according to this primitive view, acquired its binding character solely from the oath by which the people had pledged themselves to keep it. This idea, that the authority of the Torah is based upon the oath and the promise of the people and that it derives its binding character from the curse imposed upon or pronounced against those who would transgress it, finds expression in the Torah itself, especially in Deut. 29.9–30.20. It was only by means of the oath and the curse that the covenant could be made even with those not present at the time, and could be considered as binding upon the children of all future generations (Deut. 29.13–14, 28). For, whenever the children would violate the oath and transgress the law, the necessary result would be that the stipulated curse would come and be poured out upon them (cf. Daniel 9.11 ff.). Accordingly, the ideas of the older priestly group in regard to the character, authority, and purpose of the Torah—ideas which the Sadducees retained and continued to entertain even after the Pharisees argued against them—were the following: The Torah is a written document containing laws imposed by God upon Israel, and upon Israel alone, which Israel willingly or reluctantly accepted in order to secure the favour or to ward off the wrath of God, and to keep

which the people by solemn oath pledged themselves and their children of all future generations. Transgression of any of these Laws contained in the Torah on the part of any Israelite must bring down the curse upon his head. Hence, whether they like it or not, whether they approve of these laws or not, whether they find them kind and just or cruel and harsh, the Israelites whose forefathers had accepted the Torah and pledged themselves and their children to keep it, must carry out its laws, else the curse stipulated in the oath taken by the fathers would come down upon them. But the Torah is not, and need not be, co-extensive with life. It need not be the sole guide of the Israelite for all situations in life, nor must it provide answers to all new questions which may possibly arise in life. For such situations as are not expressly provided for in the Torah, the Israelite may be guided by other rules, and he may and should find answers to new questions in authorities other than the Torah. What is necessary and of the utmost importance is merely that not one single law of the Torah be violated, that not one act prescribed or one obligation imposed by the Torah be neglected. These acts prescribed by the Torah and all the obligations imposed by its laws must be observed rigorously and carried out strictly according to the letter; i. e., according to the literal meaning of the words of the Torah, as the people who accepted it and who entered the covenant understood it. Under the terms of that covenant and according to the oath, then taken, the Israelite merely had to fulfill the laws of the Torah without adding anything to them or subtracting aught from them. He had to do what the document—i. e., the letter of the law—called for, no matter how harsh and cruel and unjust it may have seemed to him. But more than the document called for, more than the letter of the law explicitly required, he was not bound to do; i. e., he was not obliged to do under the terms of the covenant. For no oath had ever been taken by the fathers to keep more than the letter of the Law and, therefore, no curse would or could befall him who fails to do more. Hence, the Sadducees, who retained these ideas, insisted upon a strictly literal interpretation of the written Torah but denied absolute authority and binding character to any law which was not expressly stated in the

written Torah no matter by what reliable tradition it may have been vouched for. Because, since such laws were not contained in the written document which the forefathers had pledged themselves by oath to carry out and fulfill, they could not share in that authority and in the binding character which the laws written in the Torah derived just from that oath. The Sadducees did not deny the existence of these old traditional laws, for how could they?—they themselves as the conservative priests were the possessors and transmittors of the old traditions of the fathers. Nor did they reject such traditional laws as spurious, or as without any authority at all, for they did recognize the right and the authority of former priests and teachers to enact rules and regulations necessary for such questions in life as find no explicit answer in the written Torah. They even claimed for themselves, as priestly leaders, the right and the authority to issue decrees and enact laws supplementary to, or altogether independent of, those in the written Torah. But they refused to regard such traditional laws as of absolute authority, and as equal to the laws contained in the written Torah. For the latter, they maintained, the forefathers had accepted by covenant and had pledged themselves and their descendants to keep for all time. And, according to their way of thinking, there was no way of freeing themselves from the obligation of that oath. But the traditional laws the people never accepted in a formal covenant and never pledged themselves by oath to keep. These traditional laws and practices were observed by the people merely in submission to the ruling authorities, and following the instructions of the priest and leaders who in their time, and no doubt for good reasons, had seen fit to institute such laws or to introduce such customs. It, therefore, rested with the priestly leaders of the time to decide whether these traditional laws and customs, instituted by their predecessors, should be continued to be observed or not. In this way only did the Sadducees deny the compulsory character of the traditional laws. And this is probably what Josephus means when he says that the Sadducees rejected the unwritten laws, saying: "We are to esteem those observances to be obligatory which are in the written word, but are not to observe what are derived from the tradition of our forefathers"

(Antiquities XIII, 10.6); i. e., we are not absolutely obliged to observe them as we are obliged to observe the written laws.[24]

The Pharisees, or those lay teachers who were the forerunners of the Pharisees, entertained entirely different ideas as to the character, authority and purpose of the Torah, but they did not tell us how they developed these ideas and how they came to form their new conception of the Torah. They did not even formulate for us their theories on the subject. We do not find in their disputes with their opponents any direct argument against the latter's primitive notions. Nor does the Talmudic literature which has preserved their teachings contain any express statement as to why or on what ground the Pharisees rejected their opponents' views on this subject and what their own different conception of it was. Of course, we are not in a position to state with certainty the reasons for their reticence or for the silence of the sources on these questions, so interesting to us. Perhaps, neither the Pharisees themselves nor their followers, the talmudic reporters, were interested in the genesis of these ideas; hence, they did not care to report about it. It is also possible that they were so convinced of the correctness of their ideas and considered them so self-evident that they were unaware of any newness in them. They could well believe that these ideas had always been held by all right thinking people in the past, and that no change or development had taken place in their conceptions. Therefore, there was nothing new in regard to this to report about. Their opponents' notions were to them so utterly false and inadequate that they looked upon them as mere aberrations and misunderstandings, hardly worth while reporting about and certainly not deserving formal refutation. But in their teachings they sought to avoid the possibility of a recurrence of such misunderstandings. They interpreted the Law in such a manner as to counteract the mistakes and oppose the erroneous conception of the Torah held by their opponents. It is from the manner in which they interpreted some of the Laws of the Torah, from the emphasis they lay on certain aspects of the Torah, from their general negative attitude towards primitive beliefs and superstitions, from occasional hints they let drop in their disputes, and especially from

[24] See *The Sadducees and Pharisees* op. cit. p. 183–186.

the lofty praises and the glorification of the Torah found in Psalm 19 and 119, which, if not conceived and written by the forerunners of the Pharisees, were certainly accepted and heartily endorsed by them[25]—it is from these that we can get an adequate picture of their ideas about the Torah and can reconstruct their doctrines as to its character, authority and purpose. Judging from all these indications, we find, in the first place, that, being averse to primitive beliefs and superstitions, the Pharisees would be disinclined to share in that superstitious belief in the magic power of the oath and in the automatic functioning of the curse stipulated in the oath. Especially did they refuse to make the authority of the Torah rest upon such a superstition, and to make the binding character of its laws for all generations depend merely on the threatening effects of the curse stipulated in the oath with which the people accepted and promised to keep the laws. They believed that the authoritative character of the Torah was not something bestowed upon it from without, awarded it by an assembly or secured by an oath or covenant. In their belief this authoritative character was something inherent in the Torah itself. The Divine origin of the Torah was to them sufficient reason for man to obey it. It is authoritative because it is Divine and not because of any obligation assumed by the fathers or of any promise made by them to observe it.

For the Torah is not a group of laws and commandments imposed by a ruler upon his subjects for purposes of his own, which they in submission to him must obey and carry out, just as they discharge other obligations they owe him. For God derives no benefit from man's obeying the Law nor is He affected by man's violating the Law.[26] The Torah is not for the benefit of God; it is for the benefit of man. It is the Law of truth which God in His lovingkindness revealed to man to serve him as a guide for life, to lead him in the right path and help him live a good life, a godlike life, and thus come nearer to God. And this guide which God vouchsafed to man is a most reliable guide, for it is a perfect Law, its precepts are right, its ordinances are true and righteous

[25] Comp. Herford op. cit. p. 65.

[26] See Gen. r. XLIV, 1 and Tanḥ. Buber Shemini 12 (p. 30); and comp. Lauterbach, *The Ethics of the Halakah* (1913) p. 12, note 13.

altogether (Ps. 19). It is complete and comprehensive and man needs no other laws or authorities for the regulation of his life or for new situations in life. The Divine Law is sufficient for all times for all people and for all possible conditions in life. For, the Torah was not intended for Israel alone, or for Palestine alone, or for a certain period of time and for certain conditions only. It was intended as an eternal law for all mankind. Israel, "the first born son of God" (Exod. 4.22), as it were, i. e. the first one to recognize His fatherhood, received the Torah first, not in order to keep it for himself as an exclusive possession, but to teach it to his younger brothers, to all nations. It was intended for all times and for all conditions; it must, therefore, contain answers to all questions of life. It is sufficient to control and regulate our entire life in all possible situations, if only we understand it aright and interpret it correctly. For, as a Divine and a most perfect Law, it is not to be understood only according to the literal meaning of its words. It must not be treated like a human document. "Our perfect Torah," says a Pharisaic leader, "is not to be considered like your idle talk,"[27] that is to say, it must not be interpreted like a man-made code of laws. We must apply to it other and higher standards of interpretation. For, its words have deeper meanings and subtler connotations.

The Pharisees also believed that one must use his God-given reason in interpreting the Torah. Josephus tells us, that the Pharisees "follow the contract of reason; and what that prescribes to them as good for them, they do; and they think they ought earnestly to strive to observe reason's dictates for practice" (Ant. XVIII, 1.3). In other words, they believed it was their duty to listen to reason. The soul within us, so the Pharisees believed, is "the portion of God from above" (Job 31.2), a spark of His light. "It is a spirit in man, and the breath of the Almighty that giveth them understanding" (ibid. 32.8). Our reason, the gift of God, "the spirit which is the lamp of the Lord" (Proverbs 20.27) and our conscience, the voice of God within us, also tell us what is right and what is wrong. They are but other channels

[27] B. B. 116a and see *The Sadducees and Pharisees* p. 192, and comp. also Moore, *Judaism*, I, p. 248–49.

through which truth is revealed to us by God. And truth is one even when revealed through different channels; hence, the laws of the Torah must meet with the approval of our reason and our conscience. In other words, we must so interpret the laws of the Torah that they should harmonize with the truth obtained by our God-given reason. Furthermore, God is still continuously revealing Himself to us. And while He will never change His Law, and indeed He has no reason for doing so, since it contains the absolute truth, yet He guides us in our deliberations, reveals to us the secrets of His Law, thus helping us to get at its correct meaning. For God is present among those who study the Torah (M. Abot III, 7).[28] Hence, the Pharisees interpreted the Law according to its spirit and ignored its letter when reason and human conscience were against it. Thus, to give the classic example, the law "an eye for an eye" etc. (Exod. 21.24–25), which, if taken literally, as the Sadducees took it, outrages the human conscience, is cruel and against reason, the Pharisees interpreted as meaning to prescribe *compensation* and not *retaliation*. They did so, because their conscience had developed and broadened and their ideas of punishment became more humane. It was, therefore, to them inconceivable that the Divine Law, that perfect Law of truth and righteousness, could ever have decreed or sanctioned such cruel measures of punishment. They could not believe that these laws were ever meant to be taken literally. In good faith and firmly convinced of the correctness of their understanding of the Law, they accordingly interpreted it to prescribe merely monetary compensation. Such a method, of course, makes of the Torah an ever growing, ever unfolding revelation, capable of developing and assimilating new truths and of always being in harmony with reason.

Just as the Torah cannot contradict reason, that other form of inspiration that continually comes to us from the source of truth, and just as it cannot conflict with the dictates of our conscience which is the voice of God within us, so also must the Torah not conflict with Divine truth coming through other

[28] The idea that God helps one to arrive at the truth and to understand the Torah is common among the Rabbis and finds frequent expression in the Jewish liturgy.

channels. It must be in agreement with the voice of God heard through the prophets or recorded in the sacred writings of the inspired sages and seers, with the דברי קבלה, the words of Tradition, as the non-pentateuchal works of the Bible are called, being originally considered as mere tradition.[29] Since the Torah is not just a group of laws imposed upon Israel, but Divine truth revealed to man, it cannot conflict with other expressions of Divine truth as recorded int he other sacred writings. For, God is not a man that He should in one utterance belie what He said in another. Neither the son of man that He should repent and change His mind, so as to utter other truths and contradict Himself. This idea makes the Torah extend beyond the five books of Moses. It comprises all the sacred writings of accredited inspired seers and prophets, i. e., the whole Bible. Of course, it took some time till the distinction between the Pentateuch and the other Biblical works or between *Dibre Torah* and *Dibre Ḳabalah* entirely disappeared. Echoes of this distinction, based upon the primitive notion that the Torah derives its authority from the oath and the covenant, which the other sacred writings cannot claim, are still to be found in the Talmud.[30] But the

[29] The fact, that the non-pentateuchal works of the Bible were considered as mere traditions (דברי קבלה) was probably responsible for the mistake made by some of the church fathers (Origines and Hieronymus; see E. Schürer op. cit. II p. 480–481; comp. also Pseudo-Tertullian, *Against All Heresies*, ch. I), in assuming that the Sadducees, like the Samaritans, recognized only the Pentateuch as sacred Scripture. Comp. K. Budde, *Der Kanon des Alten Testaments* (Giessen 1900) p. 42–43, and Moore op. cit. 68.

[30] In the Talmud are found conflicting statements as to whether דברי קבלה are to be regarded as like דברי תורה or not; see Bacher, *Die Exegetische Terminologie der Jüdischen Traditionsliteratur* I (Leipzig 1899) p. 166. Significantly enough, the later Amoraim, especially R. Ashi, consider the דברי קבלה to be like דברי תורה (R. H. 19a, comp. also Sukkah 32b). It seems to me that this recognition of the authority of the non-pentateuchal books of the Bible was the result of a gradual realization on the part of the teachers, that a strict distinction between the various books of the Bible was incompatible with the belief that the entire Bible was of Divine origin. Comp., however, R. Hirsch Chajes in *Sefer Torat Nebiim* (Zolkiew 1836) מאמר תורת נביאים או דברי קבלה . The result was that not only the teachings derived from the non-pentateuchal books of the Bible were considered like דברי תורה but even such traditional teachings as had no basis whatever in any passage of the Bible were also designated as דבר תורה. (Comp. R. Hirsch Chajes op. cit.

Pharisees, already at a very early time conceived the idea of including in the Torah the teachings of the prophets and of the other sacred writings. They had to do so as a matter of logical consistency, for, to their way of thinking, there was no reason to make any distinction between one revelation and the other. The Torah, to them, had its authority not because of the oath taken by the people but because of its being revealed truth, the word of God, and the teachings of the prophets also were the words of God. Of course, the Torah of Moses represents the earliest and most comprehensive revelation, aiming at regulating human conduct. The prophet, therefore, cannot make new laws in opposition to the Torah.[31] He does, however, explain and supplement the laws of the Torah,[32] and the Torah must be so interpreted as to accord with the prophetic teachings. The Pharisees would, therefore, often use both the help of reason, dictating higher ideas and broader principles, and the words of the prophets revealing spiritual concepts and Divine truth, for supports and guides in interpreting the Law, thus making it expressive of more advanced religious ideas and spiritual truths. One or two instances will illustrate this point. We have seen that, according to the Pharisees, the Torah was revealed to man for his guidance and his benefit, and does not represent a group of laws just imposed upon him. Accordingly, the Sabbath, as one of the institutions of the Torah, was given to man so that he may enjoy his rest and delight in it, but man was not given to the Sabbath to be a slave to it and suffer inconveniences. To use the older expression of the Pharisaic teachers: "The Sabbath is given to you and you are not given to the Sabbath" (Mekilta, Sabbata I, Friedmann

מאמר תורה שבעל פה, especially p. 25–26.) This was but the logical consequence of the belief that the traditional law, the תורה שבעל פה also goes back to Moses and was of Divine origin. See below note 39.

[31] Comp. Sanhedrin 90a, Horayot 4b.

[32] Comp. Bacher, op. cit. I, p. 154–155. Hence later teachers could say: דבר זה מחורת משה לא למדנו מדברי יחזקאל הגביא למדנו (Yoma 71b. Comp. also R. H. 7a). In spite of the fact that an older principle had declared that no prophet was allowed to inaugurate new laws אלה המצות שאין הנביא רשאי לחדש דבר מעתה (Megillah 2b). See the explanations of this apparent contradiction offered in Yoma 71b and 80a and comp. R. Hirsch Chjaes מאמר אלה המצות ch. I, op. cit.

103b). This idea of the purpose of the Sabbath the Pharisees found expressed in the words of the prophet: "And call the Sabbath a delight . . . then shalt thou delight thyself in the Lord" (Isa. 58.13–14). They accordingly could not understand the law in Exod. 35.3 to mean: "Ye shall burn no fire throughout your habitations upon the Sabbath day," as it was understood by other Jewish sects, like the Samaritans and even the Karaites up to the fourteenth century. For, so the Pharisees reasoned, how could the Sabbath be called a delight if one is to be deprived on it of the comforts of light and heat? They refused to consider the Sabbath a Tabu day to be spent in gloom and cold and darkness. They, therefore, interpreted the law in Exodus 35.3 to mean, "Ye shall kindle no fire throughout your habitations upon the Sabbath day," i. e., you shall not do the arduous work of building a fire or producing light on the Sabbath day. You may, however, nay you should, have in your homes fire and light, so very necessary for your comfort and pleasure, on the Sabbath day; only let the work of preparing it be done before the Sabbath.[33] They even considered it a religious duty and insisted that for the proper observance of the Sabbath it is indispensable to have lights in the home on Friday night, so as to make the home cheerful and the Sabbath a delight. This Pharisaic institution is still observed in Jewish homes. When performing the ceremony of lighting the candles on Friday night, a benediction is recited thanking God for having sanctified us by His commandments and commanded us to kindle the Sabbath light. For, according to Pharisaic teachings, God did command us to have lights in the homes on the Sabbath even though no such commandment is explicitly mentioned in the Torah. He implied it in His commandment, "Observe the Sabbath day" (Deut. 5.12), for this is a proper form of observing the Sabbath.[34] He commanded it to us through His prophet when he said, "Call the Sabbath a delight," which means to have the home cheerful and bright and not cold,

[33] Comp. the saying of the Mekilta ביום השבת אי אתה מבעיר אבל אתה מבעיר מערב שבת לשבת. According to the reading of the Yalḳuṭ to Exod. 35.3.

[34] Comp. b. Sabbat 23a as to the justification for the recital of the benediction over the lighting of the Chanukah lights. The same reasons, of course, hold good in the case of the benediction over the Sabbath lights.

dark and gloomy. Guided by the same principle that the Sabbath is given for man's pleasure, they interpreted another Sabbath law in such a manner as to remove from the Sabbath the character of a Tabu day and teach us an advanced idea of the religious observance of the day. The law: "Abide ye every man in his place, let no one go out of his place on the seventh day" (Exod. 16.29) was interpreted by some sects to mean, that one should not budge from his place and not be allowed to leave the house. This again gives the Sabbath the character of a Tabu day or an unlucky day.[35] The Pharisees, denying that the Sabbath was of such a character, interpreted this law to mean, that one should not leave the town or the village where he dwells,—taking the word "his place" in a broader sense to mean town or village,—and go on a distant journey,[36] and also that one should not go out of the house carrying burdens on the Sabbath day. They learned from Jeremiah 17.12ff. that the proper observance of the Sabbath was to refrain from bearing any burdens or carrying forth burdens out of the house. But without carrying any burdens, the Pharisees taught, one may leave the house and take a pleasurable walk even outside of the city or the village, provided it is not too long a distance. For this would be a tiresome effort and no longer a pleasure, hence not in keeping with the spirit of the day.

It was probably the same consideration, viz., to remove from the Sabbath the character of a Tabu day, and to dissociate it entirely from any connection with Saturn, that determined them in their interpretation of the term "Sabbath" in Levit. 23.11 and 15.[37] In seeking to emphasize the idea that the Sabbath was

[35] See Hutton Webster, *Rest Days* (New York 1916) p. 257 and note.

[36] Mekilta, Vayassa V (Friedmann 51a), 'Erubin 51a.

[37] See Menaḥot 64b–66a. It is true that the oldest express reference to an identification of the Jewish Sabbath with Saturn's day dates only from the first pre-Christian century. (Comp. Hutton Webster op. cit. p. 243ff.). But no doubt the idea is much older and the Pharisees sought to combat it. According to Yalḳuṭ Reubeni to Jitro (Warsaw 1901) p. 108, many of the ceremonies and regulations prescribed for the Sabbath were directed against the practices of those people who believed the Sabbath to be Saturn's day on which they could, by means of certain observances, derive power from Saturn. That the Pharisees were correct in denying that the observance of the Sabbath had any

merely a day given for rest and pleasure and that it has nothing to do with Saturn or with other astrological superstitions, they argued that "Sabbath" designates also any other prescribed day of rest even if it be not the seventh day of the week. Every Holiday in which one is to rest from labor is called a Sabbath. They, therefore, interpreted "the morrow after the Sabbath" (Levit. 23.11 and 15) to mean simply, the morrow after the day of rest, that is, after the first day of the Passover festival, or the 16th of the month of Nisan. According to this interpretation, Pentecost which comes 49 days or seven weeks after that, "morrow after the Sabbath," could fall on any day of the week. Their opponents, the Sadducees, as is well known, took the phrase, "the morrow after the Sabbath" literally to mean, the morrow after the seventh day of the week, with the result that they would have Pentecost always fall on a Sunday as the church also has it.

As in their views about the character, authority, and purpose of the Torah, so also in their attitude towards the authority of tradition and the binding character of the traditional laws, the two parties differed radically. Josephus in the passage already quoted above tells us that "the Pharisees have delivered to the people a great many observances by succession from their fathers, which are not written in the Laws of Moses, and for that reason it is that the Sadducees reject them and say that we are to esteem those observances to be obligatory which are in the written word but are not to observe what are derived from the tradition of our forefathers. And concerning these things, it is that great disputes and differences have arisen among them" (Antiquit. XIII, 10.6). For the Sadducees did not "regard the

connection with the worship of Saturn, is now admitted by most modern scholars (see Hutton Webster l. c. and comp. A. Büchler, Graeco-Roman Criticisms of Some Jewish Observances and Beliefs, in *The Jewish Review* I [London 1910] p. 140–143). But, in spite of this protest of the Pharisees against the identification of the Sabbath with Saturn's day, the idea of such a connection between the two lingered on even in Jewish circles and echoes of it are found in medieval Jewish works. Comp. Abraham Ibn Ezra as quoted by the super-commentary on Ibn Ezra, Motot, to Exod. XXIII, 20 in מרגליות טובה (Amsterdam 1722) p. 73b and also the super-commentary אהל יוסף (ibid l. c.). Comp. also S. Rubin op. cit. p. 90–91.

observation of anything besides what the Law enjoins them" (ibid. XVIII, 1.4). These reports of Josephus are confirmed by statements in the Talmud.[38] This fundamental difference between the two parties presents the anomalous phenomenon, that the older conservative priestly party is opposed to the authority of tradition and denies the binding character of the traditional law, while the younger progressive liberal party of democratic lay teachers advocates the authority of tradition, and considers the traditional laws as binding upon the people and as of authority equal with those of the written Torah. This apparent anomaly in the respective positions of the two parties with regard to the authority of Tradition, is partly responsible for the historical error made by so many people of considering the Pharisees the older party, and regarding the Sadducees as the younger group, the heretical sect. But in the light of our discussion the different attitudes taken by the two parties towards the traditional laws are found to be consistent with their respective views about the nature of the authority of the written Torah.

We have already seen that the Sadducees' rejection of the authority of the traditional law was but the logical consequence, the direct outcome, of their narrow views on the written Law. The authority of the latter, according to them, rests entirely upon the oath by which the people pledged themselves to it. And since no oath was ever taken to keep the traditional laws, they cannot have the same authority and binding character as the laws of the written Torah. Likewise, the Pharisees' attitude towards tradition was also but the psychological result and the logical consequence of their loftier ideas about the written Torah. Their conception of the Torah as revealed Divine law supplemented and explained by the prophetic teachings and in complete accord with truth obtained from other sources or through other channels, naturally disposed them to consider the Traditions of the fathers an additional source of Divine truth. For, as we have seen, the Torah to them was not a burdensome obligation which one has to fulfill for fear of the penalty of the curse, and from which one would seek to free himself by a formal discharge

[38] Comp. Horayot 4ab, Sanhedrin 90b.

of what the letter absolutely required. It was to them a source of joy and assurance, restoring the soul, enlightening the eyes and rejoicing the heart. It was a Divine guide to lead them through life, to help them and advise them. They loved the Torah, enjoyed its commandments, and rejoiced in the fulfillments of its laws. With the Psalmist they would say: "Yea, Thy testimonies are my delight. They are my counsellors" (Ps. 119.24). They would naturally be disposed to welcome more such guides, more direction, and more counsel. They appreciated the great favour God had shown His people in giving them the Torah, and they believed that God gave them much more than was written in the Torah. Perhaps quite unconsciously they felt the need of emphasizing the authority of tradition, if only to dispute the exclusive authority of their opponents. For the written Torah actually favors the priestly authorities, no matter how liberally you interpret it. But if the traditions of the fathers had preserved laws given by God to Moses and handed down to the teachers by words of mouth, the authority of these lay-teachers would be established as equal with that of the priests. The Pharisees would, therefore, not limit God's revelation and teachings to the written Torah alone. As one of their followers expressed it: "God desired to ennoble and benefit Israel, therefore He multiplied for them Torah and commandments" (M. Makkot III, 16 end), that is, He gave them more than just the written Torah. And that "more," they believed, was contained in the Traditions of the fathers. Now, they had already, as we have seen, included in the term Torah the words of the prophets and the sacred writings, which were actually called *Dibre Ḳabbalah*, "Words of Tradition." Why, then, could not the oral traditions of the fathers likewise be regarded as authoritative teachings, explaining and supplementing the laws of the Torah? What reason could there be for making distinctions between "Words of Tradition" embodied in the books of the prophets or other sacred writings, and "Words of Tradition" preserved among the people in unwritten form?

Not only could the Pharisees see no reason to discriminate against such traditions but they even had very good reasons, logical as well as psychological, to favor them and consider them

part of the Divine Torah handed down by word of mouth. The Pharisees, as already hinted, were most likely unaware of their radical departure from the older views. They believed their ideas of the Torah to be correct and that their fathers before them had the same ideas of the Torah. To the Pharisees, the Torah was the sole authority for regulating the life of the people. To their way of thinking, their forefathers must have had the same ideas and also considered the Torah alone as their authority. How then, so the Pharisees must have asked themselves, are all these laws, customs and practices, observed by the people, even though not written in the Torah, to be regarded? To reject these popular customs and practices as being without authority was impossible. Some of these traditional laws and practices were considered by the people as religious laws and observances, too highly respected, to be declared as having been introduced without any real authority. To say, as their opponents the Sadducees did, that these laws and customs were merely temporary regulations, enacted by the leaders of the time, without any connection with the Torah, and, therefore, without its binding authority, would have meant to admit that the life of the people was not controlled exclusively by the authority of the Torah. It would have meant to abandon their fundamental principle that the Torah is, and always was, the only authority for regulating the entire life of the people. It would also have reflected on the completeness and the all-sufficiency of the Torah. If the Torah was meant to be a reliable guide and a faithful help in all situations in life, if its laws were perfect and answering all needs, how was it that it could not and did not supply all the needs of the people, so that the latter had to enact other temporary laws for the regulation of their life? Would not that prove or support the contention of their opponents, that the Torah merely represents a group of laws imposed upon the people which must be strictly carried out to satisfy the demand of the Deity but need not be coextensive with life? Would it not prove the Sadducean claim that for life with all its needs and all new situations the people should be guided by other authorities? And, of course, these other authorities should be the priests, since the written Torah threatens with punishment of death those who would

refuse to listen to the authority of the priests. "And the man that doeth presumptuously, in not hearkening unto the priest that standeth to minister there before the Lord thy God, or unto the judge, even that man shall die" (Deut. 17.12).

The only satisfactory answer the Pharisees could give to this vexing question was that all these laws and customs handed down by the fathers and regarded by the people as religious laws and observances, indeed had the same authority as the laws of the Torah and that they derived their authority from the Torah even though not found expressly stated therein. Thus, the Pharisees were led to believe, and they believed it in good faith, that these laws were not regulations enacted by former priests and leaders on their own authority, separate from and independent of the Torah. For, in their opinion these former priests and leaders had no such authority of their own, they had authority only as interpreters of the Torah. And the fathers would not have preserved these laws and customs and would not have regarded them as religious, had they been enacted by an authority other than or independent of the Torah. For, the fathers also had always considered the Torah alone as their only guide and sole authority for their religious life. These laws and customs which the fathers have preserved in their traditions and handed down to their children alongside of the laws of the Torah, were also laws of the Torah, that is, they were interpretations, amplifications, or special applications of certain laws of the Torah. As such, they are implied in, and share the authority of, the laws of the Torah. Even in cases where no such connection with the written Torah could be established, these traditions of the fathers, the Pharisees persuaded themselves to believe, represented additional and supplementary laws of the Torah. They were teachings given by God to Moses on Sinai, together with the written Torah, a sort of companion to it, and handed down from generation to generation in unwritten form as הלכה למשה מסיני, Traditions handed down from Moses on Sinai.

Thus the belief in an oral Law, a *Torah she-be-al peh*, was developed among the Pharisees. It was a naive, but an honest, belief on their part. They could not escape it; they were led to it by what to them seemed logical reasoning. Their very belief

in the absolute authority and in the all-sufficiency of the Torah forced them to believe also in the authority of tradition, but tradition as identical with or as an integral part of the Torah. The Torah which God gave to Moses was really two-fold, a written one תורה שבכתב and an oral one תורה שבעל פה. In short, not all the laws and teachings revealed by God to Moses were committed by him to writing.[39]

Of course, the Pharisees did not blindly accept as authoritative all the traditions current among the people, just as they did not include in their canon of Sacred Scripture all the alleged works of inspired seers current in their times. They no doubt were guided by certain criteria in distinguishing the genuine from the spurious. And in the final analysis it was reason that determined the selection. And their broadening conscience which made them interpret the law according to the spirit would also lead them to rationalize some traditional teachings and customs.

This recognition of the authority of tradition as part of the Torah, not only did not hinder but even furthered and helped the progressive tendencies of the Pharisees, for it helped to liberate them from the fetters of the letter of the law. With all their submission to the authority of the Law, the Pharisees did not become the slaves of the Law; they were its masters. And with all their respect for tradition they did not become reactionary but progressive and forward looking. The Torah could be so interpreted as to contain what the teachers read into it,

[39] Thus the theory of a dual Torah, one written תורה שבכתב and one oral תורה שבעל פה, was formulated. The first express reference to the two תורות is ascribed to Hillel (Sabbat, 31a). A more explicit statement about these two Torahs, that they both were given from heaven, is found in Midrash Tannaim to Deut. (Berlin 1909) p. 215 in the name of R. Joḥanan b. Zakkai (the parallel in Sifre Deut. 351 has Rabban Gamaliel). To the argument of the opponent, that the singular form ותורתך (Deut. 33.10) points to only one Torah, R. Joḥanan b. Zakkai answers: אעפ"י כן שתים שנאמר "ותורת[ך] לישראל" Even if so, two Torahs are indicated since it says: And Thy Torah to Israel "meaning besides the one Torah referred to in the preceding sentence: "They shall teach Jacob Thine ordinances" יורו משפטיך ליעקב, they will also teach "Israel Thy other Torah." This seems to me the correct interpretation of the Midrash. A different explanation is given by Hoffmann (ibid. note 100) following the copyist who put a dot over the Resh, suggesting that the word is to be read *Toroth*, in the plural form.

but nothing of which they could not approve. And the Traditions of the fathers, insofar as they contained Divine truths, had to agree with the ever growing and ever unfolding conscience of the people.

Their position was reached by the Pharisees not by a conscious effort at rationalization and harmonization, but by an almost unconscious psychological effort. In their admiration for the Divine Law and Traditions they could not imagine that the Torah could contain anything which they could not fully approve of, or that genuine Tradition could teach any belief to which they could not whole-heartedly subscribe. Hence, any law of the Torah which their broadened conscience could not accept literally had to be so interpreted as to be given a new and more acceptable meaning. And any belief found among the current traditions which they, because of their advanced way of thinking, could not accept was regarded as superstition and as representing a spurious tradition. For the Divine Torah, the written as well as the unwritten, is truth. It cannot teach anything that outrages the human conscience or does violence to human reasoning. Its teachings must meet with the full approval of the human conscience and reason.

We can thus sum up our discussion and answer all the questions about the attitude of the Pharisees to the Torah which we propounded in the beginning of this lecture: The Torah is the Divine revelation to man, contained in the five books of Moses, as supplemented and explained by the teachings of the prophets an dby other, unwritten, traditions of the fathers. Its authority is based upon the fact that it is Divine truth. It comes from God, the father of all, and is intended for all mankind. Its purpose is to ennoble man by guiding him in the right way of life. It is to be interpreted in the light of reason, another Divine gift to man, and in agreement with the ever growing and ever broadening human conscience.

How with this conception of the Torah the Pharisees de veloped their ideas of God, the giver of that Torah, and of Israel, the first recipient of that Torah, we shall discuss in the next lecture.

III

THE PHARISAIC IDEAS OF GOD AND ISRAEL

The Torah, as the Pharisees considered it, was not merely a group of laws imposed upon Israel, but Divine revelation vouchsafed to man for his own good, to guide him aright and help him live a perfect life. For a full and complete life man needs more than rules of conduct and laws prescribing or forbidding certain actions. He needs also directions for right thinking and instruction in true belief. Regarded by the Pharisees as a reliable and complete guide, the Torah had to supply also these needs, which are indispensable for a complete and full life. It must, therefore, teach true ideas about God, His relation to the universe in general and to mankind in particular, and about the nature of the relation of man to man as determined by his relation to God. The Pharisees, accordingly, considered the Torah as the highest authority both for theories and practices, for rules of right conduct as well as for true doctrines.

This, however, did not prevent them from broadening their ideas. Nor did it hinder them in developing new doctrines not expressly stated in the Torah. For, as we have seen, the Torah, to them, was Divine truth, and as such it could not conflict with other truths, also coming from God and preserved in other sources, or arrived at by human reason, also a gift of God. This conception of the Torah and the liberal methods of interpretation resulting from it enabled the Pharisees to develop their own advanced ideas of God and Israel, not only without coming into conflict with the teachings of the Torah, but even with the help of the Torah, i. e., by finding support for their new ideas in the very words of the Torah, which was recognized by them as the highest authority.

Since they did not follow the letter of the Law when it conflicted with reason or conscience, they found no great difficulty in harmonizing the teachings of the Torah with their advanced ideas, or, as they naively believed, in finding their ideas hinted at, suggested or implied in the words of the Torah. Such passages in the Torah as reflect primitive ideas about God and a narrow, particularistic conception of Israel they would not take strictly

and literally. They would interpret them in such a manner as to be compatible with their own advanced ideas, and as not to be resented by their own reason and conscience. On the other hand, they would emphasize those expressions in the Torah that teach a high spiritual conception of God[40] and a liberal attitude towards humanity. They would lay great stress upon such passages as could be interpreted to give utterance to broader and more universalistic ideas and thus to make all mankind benefit by the Torah.

Whether and how they effected a complete harmonization of all those different ideas and apparent contradictions found in the Torah we have no means of ascertaining. And all for the simple reason that the Pharisees did not leave us any work or special treatise, setting forth all their beliefs and theological doctrines, giving their philosophical reasons and justifications, and citing the Scriptural proofs for them. We have no work on systematic theology by any of the Pharisaic teachers. Most likely the early Pharisaic teachers were not systematic theologians. They certainly were not philosophers, even though Josephus, to please his Gentile readers, sought to represent them as a philosophical sect (Ant. XVIII, 1.2), "Of kin to the sect of the Stoics" (Vita 2.). The Pharisees were not given to philosophic speculation. They did not use philosophical methods in their discussions nor would they cite philosophical arguments in support of their teachings. They had no reason and felt no need for doing so. They believed that in the Torah, supplemented by the teachings of the prophets and other traditions of the fathers, they possessed the Divine truth as revealed to their forefathers. To the study of this Torah they gave themselves completely and they meditated upon it day and night.[41] They sought to interpret it to the best of their understanding. It was because of their exclusive

[40] Comp. the interpretation of the passage: "Ye shall not make with Me" etc. (Exod. 20.20) to mean, not to make any likeness or representation of God. (Mekilta, Baḥodesh X, Friedmann 72b).

[41] Comp. Menaḥot 99b which, however, must be understood as a protest against Greek philosophy only (חכמת יונית) but not against the study of the exact sciences, like astronomy and mathematics, with which one should occupy oneself. Comp. Sabbat 75a.

occupation with the Torah that they were esteemed most skillful in the exact explication of their laws (Josephus, Wars II, 8. 2) and "supposed to excel others in the accurate knowledge of the laws" (Vita 37), able "to interpret the laws more accurately" (Wars I, 5. 2). And the statement of Josephus that the Pharisees "valued themselves highly upon the exact skill they had in the laws of their fathers" (Ant. XVII, 2. 4) also shows that they themselves valued their interpretations of the Torah and their ability to derive from it their teachings[42] more than philosophical speculations. They were primarily teachers of religion, but religion as comprising the ethical and spiritual truths, the laws and the traditions of the fathers. And they were practical teachers, not given much to speculation and theorizing,[43] and perhaps not very systematic. At any rate, the records of their differences and their disputes with their opponents, and the reports which have preserved their discussions and teachings, do not give us a complete or systematic presentation of their theological doctrines. Hence, the great difficulty of getting a clear and orderly view of their body of beliefs and unity of ideas. We certainly cannot content ourselves merely with what is expressly and formally reported about their theological beliefs, such as the report about their belief in the freedom of the will and in the immortality of the soul. For, indeed, this is very little, and very incomplete at that. And, after all, these two beliefs are but aspects of their conception of God and His relation to man, but they are not the whole of it. It is their interpretation of certain passages in the Torah, their institution of a unique and spiritual form of Divine worship in the Synagogue, the manner in which they sought to regulate the Temple ritual and to modify some of its objectionable features, their mode of living, their relation to one another and to the people at large, their activity in spreading the true teachings of the Torah among the people, and their zeal in offering the Torah to all mankind—it is these that tell us about their conception of God. For, in all these activities and attitudes they

[42] Comp. the saying: הפוך בה והפוך בה דכולא בה M. Abot V,22, which in Abot d. R. Natan version A ch. XII (Schechter 28a) is ascribed to Hillel.

[43] Comp. such sayings as ולא המדרש הוא העיקר אלא המעשה Abot 1, 17, and והכל לפי רוב המעשה ibid III,15.

were guided and prompted by their ideas of God and His relation to man.

That their God conception was based upon the teachings of the prophets goes without saying, since as a party they were opponents of the priests and followers of the prophets whose ideas they accepted and made their own. Thus, while no systematic work of Pharisaic theology has come down to us, the sources contain many expressions of their beliefs and furnish scattered bits of direct and indirect information about them. Upon these we must base our presentation of the Pharisees' conception of God and Israel. And, even though we may not be able to get a complete picture of their theology from all this scattered information, we shall at least be able to form a fairly adequate notion of their conception of God and of His relation to man.

From the prophets the Pharisees learned to think of God as a spiritual being, omnipotent and just, all-wise and all-knowing, all-merciful and like a father loving all His creatures. He is not to be pictured in any image and cannot be likened to any other being. He is not limited to any place but is omnipresent. He is in the heavens above and on the earth beneath. The whole earth is full of His glory, and there is no place in the whole universe where He cannot be found.[44] He rules the whole world with Justice and Kindness.[45] There is no other God besides Him, and no power can frustrate His plans. He is not subject to any weakness. All depend on Him, but He does not depend on anything outside Himself. He is not in need of anything and asks of man nothing for Himself. He asks of man only to walk in His ways, to do justly, and to love kindness. All the laws which He gave us are to direct and guide us in these right ways. And even when He chastises us, He does it with the love of a father for our own good: "And thou shalt consider in thy heart, that as a man chasteneth his son, so the Lord thy God chasteneth thee" (Deut. 8.5). "Whatever God the merciful doeth is for the best" (Berakot 60b).

The Torah, as the Pharisees understood it, also taught this God-conception. None of the expressions in the Torah which

[44] ללמדך שאין בארץ מקום פנוי מן השכינה Pesiḳta d. R. K. I (Buber 2b).
[45] ובטוב העולם נדון Abot III, 15. And והדין דין אמת (ibid III, 16).

seem to reflect a more primitive conception of God or speak of Him in anthropomorphic terms are, according to the Pharisees, to be taken literally. For the Torah is truth and it cannot be self-contradictory in its statements, nor can it conflict with the teachings of the prophets. How then is it possible to take literally such an expression as: "And they saw the God of Israel" (Exod. 24.10) when the Torah itself reports God as having said to Moses: "For man shall not see Me and live" (Exod. 33.20) and in another passage it says: "Ye heard the voice of words but ye saw no form" (Deut. 4.12)? And when it is said: "For in six days the Lord made heaven and earth, the sea, and all that is in them, and rested on the seventh day" (Exod. 20.11) it cannot, so the Pharisaic teachers argue, be taken literally to mean that God had labored six days and needed a rest on the seventh day. For the prophet has taught us that God never wearies: "Hast thou not known? Hast thou not heard that the everlasting God, the Lord, the creator of the ends of the earth, fainteth not, neither is weary?" (Isa. 40.28). And the Psalmist declared that merely "by the word of the Lord were the heavens made" (Ps. 33.6) and He did not have to labor. (Mekilta Baḥodesh 7, Friedmann 69b). How is it possible, ask the Pharisaic teachers, to take literally the passage: "And the Lord went before them by day in a pillar of cloud" (Exod. 13.21) when God Himself has told us through the prophet (Jeremiah 23.24): "Do not I fill heaven and earth?" (Mek. Besh. II, Friedmann 25a)? All such expressions must, therefore, be taken not literally but figuratively. The Torah had to use human language and human turns of speech to give concrete expressions to abstract ideas, else human beings could not understand (Mek. Baḥodesh IV, 65a).

That the Pharisees conceived God as the One whom no human being could fully comprehend is especially evident from the manner in which they would refer to Him. Whether and to what extent they were responsible for the prohibition against the pronounciation of the Tetragrammaton is hard to decide.[46] But this we do know, that, except in prayer and in the reading of the Scriptures, they avoided using even any of the other Biblical

[46] See A. Marmorstein, *The Old Rabbinic Doctrine of God*, (London 1927), p. 17ff.

names of God. They apparently felt that no name could designate His essence or describe the totality of His being. While they interpreted even these Biblical names as merely describing His attributes, as for example, when they interpreted "Elohim" to mean the "*midat ha-din*", the Attribute of Justice, they nevertheless feared that the constant use of these names might lead to their being misunderstood and taken for actual proper names of God. They, therefore, referred to Him merely by using some of His attributes. They employed such designations of Him as describe His activity or His relation to the world and to man. Thus, when they had in mind His relation to the world, they would speak of Him as "the Possessor," or "the Creator of the World," "the Master of all works," "the Ruler of the Universe," "He by whose word the world came into being." To indicate His omnipotence, they would speak of Him as גבורה, "Might", the Almighty. To emphasize His Omnipresence, they would speak of Him as המקום, "The Place." For, He is the place of the world but not limited to it. The world finds a place and exists only in Him. But the world does not contain Him, for He is in the world and yet beyond it, He is immanent and transcendent. To emphasize that God is eternal, they would call Him חי עולמים, "The One who lives for ever" or חי וקים, "The Everlasting One". To express His relation to man, they would call him, the Father, the Father in Heaven, the Father of all that come into the world, the Lord of Mercy, or shorter, *raḥmana*, the Merciful One. To refer to His revealing Himself to man, or manifesting His presence in the world, they would speak of him as the Shekinah, שכינה, "Divine Presence", and *ruaḥ haḳodesh*, רוח הקדש, "Spirit of Holiness". The latter two, however, were never taken by the Pharisees or the Rabbis in a hypostatic sense. They never represented separate entities.[47] They were merely used like so many other designations descriptive of some aspects or attributes of God whom no man can fully comprehend.

Intimately connected with the conception of God are, of course, ideas of Divine Worship, that is, how one can properly

[47] Comp. Marmorstein, op. cit. p. 99 and 103. The saying in Pesiḳta Rabbati (Friedmann 12a) merely means to express the idea that God caused the spirit of prophecy to come upon Jacob.

serve Him. The activities of the Pharisees in this field, their efforts at regulating and modifying the service in the Temple, as well as their fostering in the Synagogue a unique institution of religious worship, outside of, and separate from, the Temple, were but the logical results of their advanced and spiritual God-conception. Once they believed with the prophets and found it also stated in the Torah (Numbers 14.21) that the whole earth is full of the glory of God, they necessarily had to believe also that "from the rising of the sun unto the going down thereof, the Lord's name is to be praised" (Ps. 113.2), and that there is no place where God could not be found and reached in prayer. Hence, they concluded that God can and should be worshipped even away from the Temple and outside of Jerusalem. Again, they had learned from the prophets that the multitude of sacrifices is to no purpose unto God and that He delights not in the blood of bullocks or of lambs or of he-goats (Isa. 1.11); and that burnt-offerings are not acceptable to Him (Jeremiah 6.20). They, accordingly, reasoned: If the Lord has not "as great delight in burnt-offerings and sacrifices, as in hearkening to the voice of the Lord," and if, "to obey is better than sacrifice, and to hearken than the fat of rams" (I Sam. 15.22), then a worship consisting not of bloody sacrifices but of prayer and study of God's Law must be not only as good as the Temple service, but even better and more acceptable to God. Hence, the Pharisees fostered the Synagogue. The Synagogue may be considered a Pharisaic institution. Not that the Pharisees first instituted or founded it, for, it must have been in existence long before the advent of the Pharisees. But they developed it and perfected it, raised it to high prominence and gave it an important and central place in the religious life of the people, so that it could rival, if not even surpass, the Temple. Here again the Pharisees merely developed an ancient prophetic idea and based on it a great religious institution. The Synagogue is much older than the party of the Pharisees, its origin probably goes back to the period of the Babylonian exile. We have seen how the people in the exile learned to appreciate the prophets' teaching that God is everywhere. Away from Jerusalem and deprived of a Temple, those who remained loyal to the God of their fathers were forced to

content themselves with some kind or form of worship other than sacrifices. Ezekiel tells us that the elders of the people would come to him to inquire of God (Ezek. 14.1ff. and 20.1ff.). It is in these visits to the prophet, to inquire about God, that we have the germ of the Synagogue. When the people could no longer go to the priest to send through him their offerings to God, they came to the prophet to inquire for a message from God, and the prophet gave it to them. And then they may have come to the prophet again or met together elsewhere to consider the message, received from the prophet, to meditate upon the word of God, and to pray to Him. Such meetings with their simple form of worship continued among the people even in Palestine after the Temple was restored and the sacrificial cult reinstituted. No doubt, the forerunners of the Pharisees were among those who cherished this prophetic idea of a religious service without sacrifices and who would assemble in some places outside of the temple for the study of the Law and the prophets and for prayer and devotion.[48] But after the final breach between the two groups and the formation of the two parties, the Pharisees, in opposition to the priests who naturally favored the sacrificial cult and would have all religious service centered in the Temple, emphasized the value of these extra-Temple devotional meetings and assemblies for prayer and study. They found that even according to the Torah, as they understood it, a service without sacrifice and outside of the Temple at Jerusalem was at least as acceptable to God as the sacrifices in the Temple, if not even more so. They interpreted the commandment: "To love the Lord your God and to serve Him with all your heart and with all your soul" (Deut. 11.13) to mean, to serve Him with prayer and by studying His law. Certainly, so they argued, this cannot refer to the sacrificial cult, for into its service one cannot put his heart and soul. It can only mean service with prayer into which one can put his whole soul, and the service of studying the Torah which one can do with his whole heart. As David said (Ps. 141.2): 'Let my prayer be set forth as incense before Thee, the lifting up of my hands as

[48] Daniel already performed a religious service consisting of prayer three times a day (Daniel 6.11–12). A religious service consisting of prayer is also presupposed or alluded to in Sirah 39.5–6. Comp. also Moore I, p. 41 note 2.

the evening sacrifice" (Sifre, Deut. 41, Friedmann 60a). Thus they developed the Synagogue service which consists of prayer and reading from the Scriptures. This was in line with their democratic tendencies and with their regard for the needs of the people at large which, Josephus tells us, characterized the Pharisees (Wars II, 8. 2). For this institution of the Synagogue service enabled the people to enjoy everywhere the benefits of their religion, to receive instruction in the Divine Torah, which restoreth the soul, and to pour out their hearts in prayer before their Father in heaven without having to go to the Temple at Jerusalem and without depending upon a priest of a hereditary class. Their very conception of the Torah, that it was intended as a guide for all men, for all times and for all places, forced the Pharisees to believe that the worship in the Synagogue was equal, if not superior, to the service of the Temple. For, certainly the Torah would not be a complete guide if it failed to provide directions for Divine worship, the means of communion with God, for all those who lived away from Jerusalem and far from the Temple. And the Torah certainly could not have meant that those people away from Jerusalem, who could not come to the Temple and yet wished to worship God, should worship Him by offering sacrifices to Him wherever they may be. For, it expressly forbids the offering of sacrifices to God outside of the one chosen place, understood to be Jerusalem: "Take heed to thyself that thou offer not thy burnt-offerings in every place that thou seest" (Deut. 12.13). But the Torah does not specify any particular place where prayer may be offered. On the contrary, it assures us that wherever a human being, a soul yearning for God, will call upon Him in prayer, He will hear him and bless him. For, so the Pharisees understood the passage (Exod. 20.21): "In every place where I cause my name to be mentioned I will come unto thee and bless thee" (Mekilta Baḥodesh XI, Friedmann 73b and parallels).

The Pharisees did not, however, draw the logical conclusion from these ideas about God, so as to oppose the sacrificial cult in the Temple altogether. They tolerated the Temple service but tried to regulate and spiritualize it. What caused them to compromise with the sacrificial cult we cannot tell with certainty.

There may have been many causes for their doing so. No doubt, however, the strongest factor which determined their attitude towards the sacrificial cult was the consideration that it is expressly provided for in the Torah. For the Torah does explicitly prescribe sacrifices and regulates the bringing of offerings. These laws about sacrifices, found in the Torah, are too numerous and too explicit to be explained away. And the Pharisees probably did not feel any urgent need for trying to explain away these laws or for objecting to their literal meaning. For these laws and the whole idea of sacrifices were not, in those days at least, regarded as contrary to reason; and they certainly did not outrage the conscience. Furthermore, the Pharisees had a good precedent for their tolerant position, in the attitude of their prototypes, the prophets, who in their time likewise tolerated the sacrificial cult as long as it did not lead to abuse and disregard of the ethical laws and the higher religious duties. Above all, the Pharisees could well believe that, since the Torah was given by God for the benefit of man, these laws about sacrifice also tended somehow to benefit man, else God would not have given them. Some of the followers of the Pharisees expressly state this opinion in regard to the dietary laws. They say: "What difference does it make to God whether one ritually slaughters an animal and eats it or sticks it and eats it, whether one eats clean or unclean food? All these laws were given only in order to discipline and ennoble man." (Tanḥuma B. Shemini 15b = 30, comp. Gen. r. 44. 1). The early Pharisees may have had the same ideas about the laws for sacrifices. They may have believed that these laws were given to man for some good purpose even though it is not apparent. They may help to train and discipline man, and to cultivate in him the habit of giving up things in obedience to a higher law. But the Pharisees insisted that the sacrifices are of no benefit to God. Like the Prophets, they would fight the sacrificial cult only when its practice would cause a misunderstanding of the religious teachings and would lead to false beliefs, or when it would be made the excuse for the neglect of higher moral duties. One of the Pharisaic teachers, seeking to denounce the idea that sacrifices are gifts to God, indeed makes the bold and sweeping statement, which reminds one of Jeremiah (7.21–22), that God

never asked for sacrifices and does not want them. Citing the Psalmist in his support, this teacher says: "Lest you think that He wants your sacrifices because He is in need of food, Scripture says: 'If I were hungry I would not tell thee; for the world is Mine and the fullness thereof . . . Do I eat the flesh of bulls or drink the blood of goats' (Ps. 50.12–13). I have not told you to offer sacrifices. Hence you cannot say: 'I will do His will so that He in turn may do my will.' It is not *My* desire that you sacrifice, it is your own desire to bring sacrifices. For thus it is said: 'When ye offer a sacrifice of peace offerings unto the Lord, ye offer it because of your own desire' (Lev. 19.5), i. e., because you like it and not because God likes it" (Menaḥot 110a). The other teachers contented themselves merely with insisting that the only value in the offering of sacrifices is the thought of God in the mind of those who offer them, their intention to bring a sacrifice in the name of God. Hence, they say, it makes no difference whether one offers much or little, if only his thoughts are directed to God (Menaḥot l. c., Sifra Vayiḳra IX, Weiss 9b).

This consideration was probably one of the reasons why the Pharisees favored and supported the popular ceremony of offering the water libation during the Feast of Tabernacles, to which the Sadducees or the one group of them, the Boethusians,[49] strongly objected. The latter objected to this ceremony chiefly because it is not expressly mentioned in the Torah, but probably also because they considered water an inadequate offering to God. The Pharisees believed this ceremony to be based on an old tradition (Sukkah 34a and parallels) which to them was as binding as the written law. As regards the appropriateness of the offering, in their opinion, it really could make no difference

[49] In the Talmudic literature the designations Boethusians and Sadducees are used interchangeably to designate the same party or sect. But it seems nevertheless that the Boethusians were a special group of the Sadducees, deriving their name from their leader Boethus. See L. Ginzberg, Boethusians, in *Jewish Encyclopedia* III, p. 285, and Schürer op. cit. II, p. 478–79. A fanciful theory about the Boethusians is advanced by R. Azariah de Rossi in his *Me'or 'Enayim* אמרי בינה III (Warsaw 1899) p. 78–79. According to his theory the Boethusians were identical with the Essenes, and the name ביתוסים is merely a contracted form of the two words בית ואיסיאי meaning the house of the Essenes.

whether wine or water be offered, since the main and only value of any of the sacrifices is the thought of God in the mind of the sacrificer; and in this case the people thought of God in connection with the performance of this ceremony. Here was a good opportunity of teaching the people that it is not a question of what you offer but in what spirit and with what intentions you offer.

The Pharisees not only sought to remove from the mind of the people the primitive notion that the sacrifices constituted gifts to God but also to combat the superstitious belief that there was any magic power inherent in the sacrifices or in some of the ceremonies connected with them.

In order to emphasize the idea that there is no magic power nor any intrinsic value in the ceremony of purification by the water of sprinkling prepared with the ashes from the red heifer, as prescribed in Numbers 19, one of the outstanding Pharisaic teachers said to his disciples: "By your life, the dead body does not defile nor can the water of sprinkling purify; the whole ceremony is but a decree of the King of Kings" (Pes. d. R. Kahana, Parah 40b).[50] In other words, ceremonies prescribed in the Torah were to be observed, according to the Pharisees, merely because they were believed to be prescribed by God. But when the ceremony tended to perpetuate a false belief or to lend support to a superstition, the Pharisees would fight it and abolish it or modify it.

[50] The same teacher, R. Joḥanan b. Zakkai, also abolished the ordeal by drinking the bitter waters prescribed in the Law (Numbers 5.12–31) for the woman suspected of adultery (b. Sotah 47a). His reason for abolishing this ceremony was, according to the Mishnah, that he considered it unjust to have a double standard of morality, so that the women should be punished for an offence which the men may commit without fear of punishment. It seems to me, however, that this alleged reason based upon the prophetic condemnation of a double standard of morality (Hosea 4.14) was not the real reason, or at least not the sole reason for doing away with this ceremony. For, according to the Rabbis, the ceremony would anyhow be without effect in case the husband was not absolutely blameless and pure from sin מנוקה מעון (b. Sotah 47b). R. Joḥanan b. Zakkai probably wanted to do away with the superstitions and belief in magic, underlying the ceremony of bitter waters. The utterance of the prophet Hosea merely served as an excuse for the daring act of abolishing a pentateuchal law.

The best illustration of their activity in this direction is their fight against the manner in which the priests would perform the ceremony of offering the incense in the Holy of Holies on the Day of Atonement. To sum up briefly what I have discussed elsewhere at greater length, the fight about the manner in which this ceremony should be performed was a fight between two God-conceptions. The Sadducees, holding to primitive notions about God, believed that God was really present in the Holy of Holies of the Temple, and that His presence could actually be seen there hovering between the two cherubim upon the Ark-cover, or, at a later time when the Ark was no longer there, on the spot where the Ark once stood. The entrance of the High priest into the Holy of Holies on the Day of Atonement was, therefore, fraught with danger. For, if on entering he should, even if only involuntarily, look in the direction of the Ark-cover and see the Deity he would immediately die. As a precaution against this danger, the old practice of the priests was to put the incense upon the fiery coals on the censer, outside of the curtain which separated the Holy of Holies from the rest of the Temple, and, while the smoke of the incense arose, he would carry the censer with the smoking incense into the Holy of Holies and offer it there. The smoke coming up from the incense protected the High priest against the danger of seeing the Deity clearly face to face. It formed a sort of a screen through which he was allowed to see the Deity. For, "through the smoke of the incense God may be seen upon the Ark-cover," so the Sadducees understood Leviticus 16.2.[51]

[51] See Lauterbach, A Significant Controversy Between The Sadducees and the Pharisees, in *Hebrew Union College Annual* IV (Cincinnati 1927) especially pp. 195 ff. Arnobius also alludes to the fact that the Sadducees gave form to the Deity. For he says: "And let no one bring up against us Jewish fables and those of the sect of the Sadducees, as though we, too, attribute to the Deity forms, for this is supposed to be taught in their writings" (*Against the Heathen*, Book III, ch. 12, in the edition of Ante-Nicene Fathers [New York 1899] vol. 6. p. 467). It is amusing to see how the editors and translators in their desire to find fault with the Pharisees, made the following remark: "It is evident that Arnobius here confuses the sceptical Sadducees with their opponents the Pharisees and the Talmudists" (ibid. note 3). But it is evident that the editors were confused while Arnobius was accurate and knew what he was saying.

The Pharisees, on the other hand, insisted that there was no visible manifestation of the Deity in the Holy of Holies. And, in order to teach the people that God has no form in which He could be seen by any human being, and that no semblance or representation of Him could be found or seen in the Holy of Holies, they enforced a modification of this ceremony. The High priest was not allowed to prepare the smoking incense outside of the curtain. He could not put the incense upon the fiery coals, thus producing a screen of smoke before he entered the Holy of Holies. He had to carry the censer with fiery coals in his right hand and the spoon full of incense in his left, and thus enter the Holy of Holies. And only after he had entered inside the curtain was he to put the incense upon the fiery coals on the censer and offer it there. The Pharisees thus reduced this offering of the incense in the Holy of Holies to a mere ritual like so many other ritual laws or ceremonies which are to be observed because they are prescribed in the Torah though the reason for them is not known. But they prevented this ceremony from being performed in such a manner as would suggest the false belief that God is actually present in the Holy of Holies, or that He could at all become visible to the High priest or to anyone else.

Perhaps the most effective means by which the Pharisees impressed upon the minds of the people the lesson that sacrifices were not the most acceptable form of worship was the institution of a Synagogue in the very precinct of the Temple, and the regulation that the priests hold there every day a religious service of the kind held in a Synagogue. By this institution a sort of a combination of the two forms of worship was effected by which the sacrificial cult was spiritualized as it were, and the idea that the value of the sacrifice consisted only in the thought of God which it elicited from the sacrificer was given emphatic

He had a correct report as to the primitive God conception held by the Sadducees which permitted them to attribute corporeality to God and to make Him dwell in visible form in the Holy of Holies. Kirkisani also says, that the Sadducees believed in the corporeality of God and that they would take the anthropomorphic expressions of the Bible literally. Comp. A. Harkavy לקורות הכתות בישראל in S. P. Rabbinowitz's Hebrew translation of Graetz's *History*, vol. III (Warsaw 1893) p. 495.

support. It certainly put the Synagogue worship on a par with the sacrificial cult. This very fact makes likely the assumption that this institution was forced upon the priests by the Pharisees. But if it was not altogether an innovation introduced by the Pharisees after they got into power and obtained control of the Temple, either in the days of Queen Salome Alexandra or later on, it certainly was fostered and promoted by them. Surely, the Sadducees would not insist upon a daily Synagogue service to be held by the priests in the Temple. It is true that from Josephus' statement, that the Pharisees "are able greatly to persuade the body of the people, and whatsoever they do about Divine worship, prayers and sacrifices, they perform them according to their directions" (Ant. XVIII, 1. 3) it does not necessarily follow that the Sadducees denied prayer altogether. It may simply mean that the people followed the Pharisees and not the Sadducees in the manner of offering prayer or in the selection and arrangement of certain prayers. The Talmudic reports do not say anything about the Sadducean position on prayer. But from the emphasis which the Pharisaic teachers lay upon the importance of prayer and from their eagerness to interpret passages in the Torah as prescribing it,[52] it would seem that the Sadducees did not believe it obligatory or important. The Sadducees would naturally not favour a religious service, consisting of prayer and study alone, as this would tend to lessen the importance of the sacrifices and thereby weaken their own position as priests. Besides, this kind of service is nowhere expressly mentioned in the Torah, and they had, therefore, no reason to consider it obligatory upon them (cf. Leszynsky, *Die Sadduzäer*, p. 20–21). Not that they denied that prayer may prevail with God. This they could not do since there are instances in the Torah of prayer having prevailed with God. But, to their

[52] Comp. L. Baeck, *Die Pharisäer* (Berlin 1927) pp. 44f. Whether these interpretations were taken strictly so as to make prayer obligtory according to biblical law מדאורייתא or not is a moot question. There are passages in the Talmud which expressly declare that prayer service is not obligatory by Biblical law, but is merely a rabbinical institution (e. g. Berakot 21a ותפלה דרבנן and Sukkah 38a). Comp. however, Maimonides in *Sefer haMizvot* commandment 5 (Warsaw 1903) p. 6, and Nachmanides ad. loc. and Hananiah Casis in קנאת סופרים ad loc.

way of thinking, offering sacrifices and bringing gifts to Him were more effective methods of securing His favor. For, it was this kind of service, and not prayer, that He stipulated in the covenant and imposed upon Israel in the Torah. Furthermore, this very conception of the Torah made prayer rather superfluous for them. The Torah, to them, was not meant to be coextensive with life. It was a group of laws imposed upon Israel, with rewards promised for obeying it and punishment threatened for disobeying it. Accordingly, all that was necessary to ward off the wrath of God and to secure His continuous favor was merely to fulfill the imposed laws and especially to offer Him the prescribed sacrifices. As for human conduct and activities in general, the Sadducees seemed to have believed that God does not bother with man's affairs, nor does He care what the individual does. As Josephus puts it: "And for the Sadducees they take away fate and say there is no such thing, and that the events of human affairs are not at its disposal, but they suppose that all our actions are in our own power, so that we are ourselves the causes of what is good and receive what is evil from our own folly" (Ant. XIII, 5. 9). In other words, they did not believe in Divine Providence.[53] Of course, we have to discount Josephus' statement a little. We must not assume, that they denied that God could interfere in human affairs. What they seemed to have thought is that God does not care to bother with human affairs. The individual is left to his own resources. To the people as a group, He gives His protection if they fulfill His commands, just as He punishes them for violating the laws stipulated in His covenant. But in matters that are not prescribed nor prohibited by the Law, their conduct is left to themselves, to control their own affairs. And whatever happens to them is but of their own doing, the result of their wise or foolish actions. Surely, there is not much occasion nor reason for prayer when one believes that God does not take notice of all our affairs nor cares for all our needs.

The Pharisees who advocated a religious service consisting of prayer and who believed in the efficacy of prayer, did, indeed, believe that God takes cognizance of all our doings, and orders

[53] Comp. also Hippolytus, The Refutation of All Heresies (*Ante-Nicene Fathers*, vol. V N. Y. 1899) Book IX chs. XXIII and XXIV.

all human affairs, and that everything that happens in the world is ordained by Him. The Pharisees, Josephus tells us, "ascribe all to Providence and to God and yet allow that to act what is right or contrary is principally in the power of man; although fate does cooperate in every action" (Wars II, 8. 2). This is confirmed by talmudic reports. With the belief in Divine Providence and Divine Prescience the Pharisees combined the belief in the freedom of will, that is, that man has it in his power to choose between good and evil and determine whether he wants to live virtuously or wickedly. They did not "ascribe the practice of sinners to fortune and fate," as is erroneously stated in the Apostolic Constitutions (Book VI, ch. 6). Josephus in the passage just quoted expressly says, that they believed it to be in the power of man to act rightly or wrongly. And in Antiquities (XVIII, 1. 3) he likewise says: "And when they (the Pharisees) determine that all things are done by fate, they do not take away the freedom from men of acting as they think fit" (comp. also Ant. XIII, 5. 9). This also is confirmed by talmudic reports of the followers of the Pharisees, who declare: "Everything is in the hands of God but the fear of God" (Berakot 33b), and although "everything is foreseen, yet freedom of choice is given" (Abot III, 15). But they could not deny God the power of influencing man and determining his choice. This would be incompatible with the belief in His omnipotence. Besides, they knew many instances in the Torah where God did influence men's actions both for good and for evil. For God said to Abimelech: "Yea, I know that in the simplicity of thy heart thou hast done this, and I also withheld thee from sinning against me (Gen. 20.6). And He also said: "And I will harden Pharao's heart" (Exod. 7.3). And it is said: "But the Lord hardened Pharao's heart and he did not let the children of Israel go" (Exod. 10.20). They knew these and numerous other passages from sacred Scriptures where the possibility of God's influencing man's choice of conduct is presupposed (comp. Sukkah 52b and parallels). They accordingly came to the conclusion that indeed God can, but does not desire to, determine man's choice of conduct. He wants man to choose for himself. However, He is ready to help man carry out his plan to do good, while on the other hand He refrains from

hindering him when he chooses to do evil, thus passively at least, cooperating with him. This is what Josephus means, when he says: "Although fate does cooperate in every action" (Wars l. c.), that is, even in man's freely chosen actions, whether they are good or evil. As the Talmud more mildly puts it, "If a man chooses to do good the heavenly powers help him. If he chooses to do evil, they leave the way open to him" (Sabbat 104a). "In whatever way man desires to go the heavenly powers lead him" (Makkot 10b comp. Mekilta, Vayassa I, Friedmann 46ab and parallels). It is probably this idea which is expressed by Josephus when he attributes to the Pharisees the notion: "that it hath pleased God to make a temperament (?) whereby what he (He?) wills is done but so that the will of man can act virtuously or viciously"[54] (Ant. XVIII, 1. 3). Josephus is not quite clear in his phraseology. His statement probably means, that it is God's will that man do good; He implanted in man not only the impulse to do evil but also the inclination to do good, i. e., a temperament whereby man is led to do God's will but on his own initiative. This idea finds frequent expression in the talmudic literature.[55] Whether this is a satisfactory solution of the problem is not the question. We must remember, the Pharisees were not philosophers and probably did not stop to realize all the implications and philosophical difficulties of their naive solution. They were practical teachers of religion and for the purpose of teaching religion and right conduct it was a very practical, if naive, solution. God is omnipotent, nothing is impossible for Him, not even making man choose good or evil. God is also all-knowing and He certainly knows beforehand what choice man is going to make. But man must have freedom of will, if he is to be a moral being which God wants him to be. So God gave him the freedom of will, the power to choose between good and evil. He created

[54] Comp. Strack-Billerbeck, *Kommentar zum Neuen Testament*, vol. IV (München) 1928, p. 344, and Moore op. cit. p. 457. The passage in Josephus is rather obscure. It may also mean to say that the Pharisees believed there is a prejudgment, determined by God, to let things be done in accordance with its decree, yet allowing man to follow good or evil. In other words, God has prejudged how man, according to his own choice, will act.

[55] Comp. Sifre Deut. 53, b. Ḳiddushin 30b, Sukkah 52ab.

him with two impulses, a good one and a bad one, advised him to do good and gave him the Torah as a guide to help him; but if with all this, man chooses evil God does not hinder him. In this manner the Pharisees solved, at least to their own satisfaction, the problem of how man has the power to do evil which is displeasing to God, and how man can be free to make a choice although his choice is foreknown by God. God gives man credit for choosing good, though He helps him in doing it, and holds him responsible for choosing evil, though He could have prevented it.

The belief in man's responsibility for his conduct demands as a corollary the belief in Divine retribution. We have no record of any speculations on the part of the early Pharisees as to the vexing problem of why the righteous suffer and the wicked prosper. From the various discussions of this problem by later Pharisaic teachers, however, we may conclude that this problem occupied the minds of the early Pharisees also. At any rate, they solved the problem by postulating a belief in another life, a life after death.

According to Josephus, the Pharisees believed, "that souls have an immortal vigor in them, and that under the earth there will be reward and punishment according as they have lived virtuously or viciously in this life" (Ant. XVIII, 1. 3, cf. also Wars II, 8. 2). According to the Talmud and the New Testament, they believed in the resurrection of the dead. But whether the soul is immortal and continues to live in the beyond, or whether the dead are resurrected and come back to live here on earth, man's career is not ended with death and his existence is not limited to this present life. After this life here on earth there is another life in the future in which the belief in God's retributive justice will be vindicated.

This belief in another world thus makes possible the belief in Divine Justice and Divine Retribution in the face of all the apparent injustices that may be noticed in this world in the respective positions of the righteous and the wicked, and in spite of the many experiences which show that men do not get their deserts here on earth. Here again the Pharisees found a practical solution to a vexing problem which threatened to tempt man from virtue and cause him to abandon the pursuit of righteousness.

With the question as to the origin of this belief in a hereafter, whether it came from the Greeks or the Persians we are not concerned here. Perhaps we ought not to look to any foreign source for its origin. It may just as likely have been a home-grown product, having gradually developed out of primitive notions about the condition of the dead which had been prevalent in ancient Israel, and as a logical consequence of the belief in the Divine Justice. Certainly the Pharisees did not consider it a foreign belief. To them it was a genuine Jewish belief found in many passages of the Scriptures and indicated, or at least suggested, in the Torah itself.

It was probably due to their belief in another world that the Pharisees did not seek to get much out of this world and would not pursue its pleasures and material goods. For, as Josephus tells us, "they lived meanly, and despised delicacies in diet and they followed the contract of reason" (Ant. XVIII, 1. 3). And according to a talmudic report, their opponents would make fun of them, saying: "The Pharisees hold on to their traditional belief; accordingly, they deprive themselves of the pleasures of this world. But they will get nothing in that future world of theirs" (Abot d. R. Natan, Version A, ch. V, Schechter, p. 26).[56]

But if they did not seek the material pleasures of this world, they did not slacken their efforts to make it a better world to live in, a world in which the reign of God and His Law should prevail and men live together in peace and mutual goodwill. Their belief in another world did not make them otherworldly. For even more than with the salvation of the individual in the future life of another world were they concerned with the salvation of their people and of humanity, and with the future of this world when all mankind will join Israel in accepting the Torah and believing in the One God. To the attainment of this end the Pharisees devoted most of their thoughts and activities.

For the Pharisees believed in one humanity as they believed in one God. This was but the logical result and the necessary

[56] The following saying may be regarded as the Pharisees' answer to this taunt of the Sadducees: אמר להם משה לישראל אתם רואים את הרשעים שהם מצליחים בשנים ושלשה ימים הם מצליחים בעולם הזה וסופו לדחות באחרונה שנאמר כי לא תהיה אחרית לרע . . . ואתם רואים את הצדיקים כשהם מצטערים בעולם הזה בשנים ושלשה ימים מצטערים וסופן לשמוח באחרונה שנאמר להטיבך באחריתך Sifre Deut. 53 (Friedmann 86a).

outcome of their whole struggle. They began by fighting the aristocratic priests and disputing the hereditary privileges of the latter as based merely on the accident of birth. They naturally had to end with the belief that Israel, likewise, cannot claim any hereditary privileges on account of mere birth. The distinction Israel has is due not to his birth but to his following the Torah, and any one who accepts the Torah is fully like him.

They found this idea repeatedly stated in the Torah and the prophets. According to the Pharisees, all men are born equal. No man can claim to be of nobler birth than the other, nor can any race claim superiority over another. For all are descendent from one father and one mother, from Adam and Eve. This is the first and most important lesson of the Torah, taught in its opening chapter. Mankind, say the Pharisees, were made to descend from one father, so that no one should be able to say to another, "My father was greater than yours" (M. Sanhedrin IV, 5). Human creatures should, therefore, live in peace together, for they all have one father even in the flesh, as they have one father in God. God is not only the God of Israel, He is "the God of all flesh" (Jeremiah 32.27) or, as Moses called Him: "The God of the spirits of all flesh" (Numbers 16.22). Now, the Pharisees must have reasoned, if God is not the tribal God of Israel but the God of all peoples, then the conception of Israel as the people of God must also not be limited to the tribes of Israel. Israel potentially embraces all mankind. It can and should be enlarged so as to include all other people. Not that Israel should give up his uniqueness, lose his identity among the other peoples, and become like them. This is impossible. The very thought of it has been denounced by the prophet: "That which cometh into your mind shall not be at all, in that ye say: 'We will be as the nations, as the families of the countries to serve wood and stone' " (Ezekiel 20.32). And another prophet declared, that Israel shall never cease from being a nation before God (Jeremiah 31.36–37). And still another one declares in the name of God: "For I, the Lord, change not, and ye, O sons of Jacob, are not consumed" (Malachi 3.6). Israel will remain forever a distinct people. It is a separate family and must retain its separateness among the families of the earth. But he cannot

claim any special privileges. The other people are free to join him and become like him. "The stranger shall join himself with them and they shall cleave to the house of Jacob" (Isa. 14.1). "Neither let the alien that hath joined himself to the Lord speak, saying: 'The Lord will surely separate me from His people' " (ibid. 56.3). For God wants all the people to be like Israel. "The Holy One of Israel shall be called the God of all the earth" (Isa. 54.5), the prophet declares. This can only mean, that all the peoples of the earth shall become like Israel in believing in the Holy One and accepting His Law. And it is Israel's duty and function to help the other people to do so. Israel's position among the other nations is that of an older brother. In a religious sense he is the older brother, since he was the first to recognize God as the father. For this reason God called him, "My son, My first-born" (Exod. 4.23). But all the other nations are also children of God, younger sons, as it were. And it is the duty of the older brother to teach and help the younger ones.

According to the Pharisees, it was for that very purpose and with this understanding that God gave the Torah to Israel in the wilderness. The Torah was not given in Palestine, said the Pharisees, for then Israel could have claimed it as their own and withheld it from the other nations. And the other nations could have had an excuse for not accepting it. The Torah was given in the wilderness, in no man's land, so that every one who desires it can accept it (Mekilta Baḥodesh I and Friedmann 62a and 67a). Before giving them the Torah, God stipulated with Israel that they must be a kingdom of priests (Exod. 19.6), that is, that they should render to the other nations those services which the priests rendered them. The Torah was meant for all men. This is the Torah for men, and not only for Priests, Levites, and Israelites, say the Pharisees. For the Torah does not say: Which Priests, Levites, and Israelites shall do and live by them. It says: "Which a man shall do and live by them" (Levit. 18.5), clearly indicating that the gentile who keeps the Torah is not only like the Jew but even as good as the High priest (Sifra, Aḥare XIII, Weiss 86b). Not all Israel understood the Torah at once. For quite a time, only the priests knew it and taught it to them. The Israelites must do the same for the non-Israelites. Israel

must be the priest-teacher of the other nations, but is not to claim any privilege, for, according to the Pharisees, even the priest of the family of Aaron should have no privileges. As soon as the lay people of Israel learned to know the Torah, the Pharisees claimed, they became like the priests, the sons of Aaron; and likewise as soon as the Gentiles learn to know and observe the Torah they become like their priest-teachers, the Israelites. And there were among the leaders of the Pharisees descendants of Gentiles, who were great and recognized teachers of the Torah. The Pharisees insisted that a man's religious position is not determined by his birth but by his mode of life. To emphasize this idea and in opposition to the Sadducean priests they called themselves "Disciples of Moses" (תלמידיו של משה, Yoma 4a) as contrasted with the "descendants of Aaron." They preferred to "sit on Moses' seat" (Matth. 23.2) and teach the Torah as Moses taught it, rather than to stand at the altar and offer sacrifices. Not that they disparaged all the functions of the priests. For, just as they appreciated the function of teaching the Law, once performed by the priests but now assumed by them, so also did they appreciate the activity of establishing peace among men, for which Aaron, the brother of Moses, the ideal priest, was famous. But they claimed that even for these functions of the priests, as for the function of teaching, one need not be a descendant of Aaron, for the talent of performing them is not an inherited one. One can acquire it and exercise it and thus be a *disciple* of Aaron, no matter from whom one may be descended. The following report of an encounter between a Sadducean High-priest and the two Pharisaic leaders, Shemaiah and Abtalion, who were of Gentile descent, brings out this position of the Pharisees most clearly: The High priest in greeting said to them: "Peace be unto the sons of the Gentiles," thus alluding to their non-Jewish descent. To this they replied: "Peace be unto the sons of the Gentiles who do the work of Aaron, but not unto a son of Aaron who does not do the work of Aaron" (Yoma 71b). Their disciple, Hillel, could well say: "Be of the disciples of Aaron, loving peace and pursuing peace, loving all thy fellow-creatures and drawing them near to the Torah" (Abot I, 12). These were not merely preachings; the works of the Pharisees

were in line with their teachings, for, in truth, the Pharisees practiced what they preached. Josephus tells us, that "the Pharisees are friendly to one another and are for the exercise of concord and regard for the public" (Wars II, 8. 2). But he does not tell all. The Pharisees, according to the program of Hillel, not only exercised concord among their own people but also sought to establish it among all men. They combined the activities of Moses and Aaron. They thought that the best way of establishing good will among men was to bring them to an acceptance of the Torah, whose ways are ways of pleasantness and whose paths are peace. For, according to Pharisaic ideas, the whole Torah aims to establish good will among men, כל התורה כולה מפני דרכי שלום (Giṭṭin 59b). Or, as Hillel expressed it to the Gentile who wished to become converted to Judaism: "What is unpleasant to you do not unto your fellowman, this is the whole of the Torah. All the rest of its contents is but commentary" to this golden rule (Shabbat 31a). We show best our true love for our fellowman if we do not withhold from him what would be of greatest use to him in his life. And the Pharisees, prompted by such a love for humanity as was taught by Hillel, did seek to bring mankind to the Torah, or rather to bring the Torah to mankind, to offer to their fellowmen that most precious gift, which they considered of the greatest value in life.

With Micah and Isaiah they believed that at some future time all nations will come up to the mountain of the Lord, to the God of Jacob, to learn His ways, to walk in His paths, and accept the Torah from Zion. But they were not content to wait idly till the end of days when a Messiah will come and realize this ideal. Significantly enough, they did not indulge in speculations about the coming of a Messiah, and the early Pharisees very rarely refer to it.[57] Their plan was that the Torah should go

[57] Comp. J. Klausner הרעיון המשיחי בישראל, second edition, Jerusalem, 1927, p. 250ff. The one express reference to the coming of the Messiah made by R. Joḥanan b. Zakkai is rather indifferent. It reads as follows: אם היתה נטיעה בחוך ידך ויאמרו לך: הרי לך המשיח בוא ונטע את הנטיעה ואחר כך צא והקבילו Abot d. R. Natan version B. ch. XXXI (Schechter 34a). This simply means: Do not let the coming of the Messiah cause you to neglect your work. Whether the same teacher's saying on his death bed: "Prepare a chair for Hezekiah the king of Judah who has come" הכינו כסא לחזקיהו מלך יהודה שבא (Berakot 28b) expresses the belief in the approaching advent of the Messiah (comp. J. Klausner op. cit. p. 252 and note 6) is to my mind very doubtful.

forth out of Zion before the coming of the Messiah and that the word of God from Jerusalem shall spread to all mankind in their own time and by their own efforts. Instead of waiting for the nations to come to Zion seeking the Torah, they went out from Zion taking the Torah with them and bringing it to the nations. They engaged in a very active propaganda for Judaism. They did "compass sea and land to make one proselyte" (Matth. 23.15). And when he became so they made him feel fully as one of their own and showered upon him lavish attention. Such a treatment of the proselyte was repeatedly enjoined upon them by the Torah, as they understood it. The laws of the Torah forbidding certain nations to "enter into the assembly of the Lord" (Deut. 23.4–9) were understood to mean only that intermarriage with them was prohibited. But even this restriction the Pharisees declared could not be applied against any nation on earth. They declared that the nations of their time, even though they bore the same names as the nations against whom the Mosaic prohibition was decreed, no longer were identical with them. Wars subsequent to the time of Moses had brought about an intermingling of the various nations (M. Yaddayim IV, 4). And Pharisaic Judaism does not discriminate against any nation, race, or color. Whosoever accepts the Torah and embraces Judaism is in every respect a Jew.

That the Pharisees were successful in their campaign is fully attested by the spread of Judaism throughout the heathen world in the century before, and the first century after, the common era.[58] The success of the apostles and the early Christian missionaries among the Gentiles was due in a large measure to the extensive propaganda against heathenism that had been carried on by the Pharisees. In the course of time, however, because of internal and external unfavorable conditions, the Pharisees gave up their active proselytizing propaganda. But they did not change

[58] Comp. Josephus, Contra Apionem II, 11; Paul in his Epistle to the Romans 2.19–20; Schürer op. cit. III p. 162ff. and p. 553ff. Schürer, however, is wrong when he assumes that these liberal activities for proselytizing were carried on only by the Jews of the Diaspora. Comp. also Moore, op. cit. I, p. 22–23 and p. 108.

their ideas about the unity of mankind. They welcomed proselytes but did not go out to seek them. They declared that the Gentiles even though they do not accept all of Judaism, if they believe in God and live a righteous life, will have a share in the future life (Tosefta Sanhedrin XIII, 2). Even though they insisted upon the separateness of Israel, they meant him to be but one of the families of the earth, living with all of them in peace and harmony.

These were the fundamental beliefs and guiding principles of the Pharisees. Knowing these, we understand their position. For all their activities, their opposition to the priests, their work among their people, and their proselytizing propaganda were but expressions of these beliefs and means for the realization of their ideal, which was to bring their people and all mankind nearer to God by teaching them to observe the Law of God. If they were not always consistent, let us remember that practical teachers have to make concessions and cannot always be consistent. If, as it seems to us, they did not draw all the logical conclusions from their advanced ideas and theological premises, let us remember that they were human, subject to error, and that they may not have realized the inconsistencies in some of their positions, as we do. They were far ahead of their time, but perhaps not as far as the twentieth century philosophers and liberal theologians. If they insisted upon the observance of the minutiae of the ritual law, it was not at the expense of the ethical laws, nor to the neglect of the higher spiritual values of the religious teachings of the Torah and the prophets. They demanded the observance of even these minutiae of ritual because they believed them to be part of the Divine Law. The performance of even the least and most trivial act in the belief that God commanded it reminds one of God and brings one nearer to Him.

Of course, some people may have joined their ranks from ulterior motives. Naturally, there were advantages to be derived from belonging to the party beloved by the people. There may have been some people who outwardly imitated them without sharing their high ideals and without understanding their spiritual motives. The Pharisaic leaders themselves were well aware of the presence of some insincere people among their

followers. They call them "the sore spots" or "the plagues of the Pharisaic party" (Sotah III, 4 and 22b). And while they deplored the fact, they had no means of getting rid of them. For, although, as Josephus tells us, "they were believed to have the foreknowledge of things to come by Divine inspiration" (Ant. XVII, 2), they could not see into the hearts of all their followers and discover the insincere motives of some of them. In every society or group engaged in some ideal work there will be found some members who have joined without subscribing to its ideals. So, even if it be admitted that Jesus encountered some of that type and denounced them as hypocrites, it would be the height of absurdity to assume that Jesus denounced the whole party, and to regard all the Pharisees as hypocrites. Certainly not all churchgoers are hypocrites although hypocrites have frequently been found among churchgoers. A religious teacher like Jesus could not have failed to appreciate the faithful work of those spiritual teachers of religion with whom he had so much in common.[59] And, even though he may have disagreed with them on some questions or differed with them in some method, he certainly would not misjudge their devotion to God and their quest for righteousness.

With all the occasional setbacks which Pharisaism experienced in the course of time, it persisted in its course as a liberal religious movement. It has contributed much to religious development and to religious liberalism. For, directly and indirectly, within Judaism and outside of it, it has helped much to bring about a finer appreciation of religious ideas, a higher spiritual conception of God, a better understanding of men as the children of God, and of their relation to one another. It has taught man to recognize God as his father and his fellowman as his brother.

In particular, it has enabled Judaism to develop as a spiritual religion without a sacrificial cult, without an hereditary priesthood, and not limited to any one place, but expressing eternal spiritual truths and spreading the ideas of One God and one humanity throughout the world. Verily, "by their fruits ye shall know them."

[59] Cf. Shirley Jackson Case, op. cit. p. 305ff.

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